

1 PRESIDIO RESTORATION ADVISORY BOARD MEETING

15 REPORTER'S TRANSCRIPT OF PROCEEDINGS

16 TUESDAY, JANUARY 8, 2008

17 OFFICER'S CLUB, BUILDING 50

18 PRESIDIO, SAN FRANCISCO, CALIFORNIA

24 Reported by: MARK I. BRICKMAN, CSR, RPR
25 License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator

Mark Youngkin

George Ford

Eileen Fanelli

Brian Ullensvang

Bob Boggs

Devender Narala

Sara Segal

Sam Berman

Gloria Gee

Julie Cheever

Julian Hultgren

Jan Monaghan

John Budroe

John Chester

Barbara Newton

Toni Kramer

David Bach

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on January 8, 2008, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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1 FACILITATOR KERN: Welcome, everyone to our
2 regularly scheduled meeting of the Presidio Restoration
3 Advisory Board, and happy new year to everyone. Glad to
4 see everyone here. Appreciate that you're out on this
5 brisk night. I hope everybody has their power back on and
6 that there's not too much damage suffered in the storms.

7 I'd like to welcome everyone here, the
8 Presidio Trust, the National Park Service, our regulators,
9 which none are here at the moment -- hopefully we'll see
10 them -- RAB community members and any members of the public
11 here tonight, welcome.

12 Does everyone have an agenda? Is there any
13 changes or suggestions?

14 Let's move on to item number 3. We did not
15 have a committee -- sorry. Moving on to item 3, George.

16 MR. FORD: Yes. And I hope -- there were
17 two versions of the agenda floating around, so I'm trying
18 to work off of the newest one, which I think is over on the
19 counter, but anyhow, the first item of business that I have
20 is that I have an introduction to make.

21 To my left is Eileen Fanelli. Eileen is the
22 new environmental remediation program manager, or she will
23 be as of next Monday at the Trust, and so with that
24 introduction, done, I'm finished, so I'm leaving and you
25 take over. See you later.

1 MS. FANELLI: Monday. Monday is the
2 starting day.

3 MR. FORD: Anyhow, Eileen comes to us from
4 East Bay MUD where she has -- I guess I should let you talk
5 about what you did at East Bay MUD.

6 She's been there for a number of years, and
7 she will be starting at the Trust next Monday, and we are
8 absolutely ecstatic to have her and we think you will, too.

9 She is here tonight -- this will probably be
10 her only RAB meeting where she can be a fly on the wall and
11 really soak it up without having responsibility to say
12 something.

13 But anyhow, if you could just tell us --

14 MS. FANELLI: A brief introduction of
15 myself. I am currently with East Bay MUD until Friday. I
16 am a project manager with East Bay MUD. Actually, my title
17 is manager of watershed and recreation.

18 I do a lot of work from an environmental
19 standpoint and land use management standpoint in the
20 Mokelumne Watershed, which is about 28,000 acres that
21 surround Pardee and Comanche Reservoirs.

22 So I bring a lot of land use experience, site
23 remediation experience, hazardous waste, environmental
24 compliance experience to my background.

25 Prior to East Bay MUD, which is quite a long

1 time, I have also been a consultant. I've worked with
2 Bechtel, CH2M Hill, Metcalf and others, and I did similar
3 type of site restoration, land use planning work for Logan
4 International Airport, some of their other facilities, and
5 I'm very excited about joining the Trust and look forward
6 to meeting you all.

7 And in my defense, I am -- I've read a little
8 bit of background documents, but very little, so I do not
9 have all the information that I will rapidly have to absorb
10 over the next month or so, but I'm interested and excited
11 about hearing the discussion and viewpoints and what not.

12 FACILITATOR KERN: It may be helpful to
13 Eileen if we go around and give a brief introduction, maybe
14 particularly where you live or what community you represent
15 so she can have an idea of the diversity of the area.

16 I'm Doug Kern, facilitating the meetings.
17 I'm a community member, have been since 1994. I live right
18 over here in the Richmond District.

19 MR. YOUNGKIN: I'm Mark Youngkin. I'm
20 community co-chair and I live in Laurel Village just
21 outside the Presidio here. I've been a member since 1997.

22 MR. ULLENSVANG: I'm Brian Ullensvang,
23 National Park Service. I've worked at the Presidio since
24 1995 and I live in the East Bay and am in the East Bay MUD
25 service area.

1 MS. FANELLI: Hopefully you always get good
2 tasty water.

3 MR. HULTGREN: I'm Julian Hultgren. I live
4 in the Richmond District. I'm a long-time retired attorney
5 and a community representative.

6 MS. KRAMER: I'm Toni Kramer. I joined RAB
7 last year. I work for a large landscape architecture firm
8 in the City and I live on Russian Hill.

9 MR. BERMAN: I'm Sam Berman. I'm a
10 community member since 1998 and I'm a neighbor of the
11 Presidio living at the corner of Union and Lyon Streets.

12 MS. MONAGHAN: I'm Jan Monaghan and I live
13 in Pacific Heights and I've been a RAB member since 1994.

14 MS. SEGAL: I'm Sara Segal. I live in Noe
15 Valley and I'm a retired federal EPA employee, and I don't
16 know how long I've been on the RAB. Not long enough.
17 Since 2000, at least.

18 MR. BERMAN: Since 2000.

19 MS. GEE: I'm Gloria Gee and I live in the
20 Castro-Duboce Triangle area and I've been on the board for
21 around the same time as Sara and I'm retired, but I was
22 doing a lot of public policy and research work in different
23 -- with different organizations.

24 MS. NEWTON: Hi. I'm Barbara Newton. I
25 live in the Richmond District and I'm just starting my

1 second year on the committee.

2 MR. BACH: I'm David Bach. I work by day as
3 a career coach with the San Francisco gay and lesbian
4 Community. My lover and I live out in the Parkside, which
5 is by the zoo, and I'm also just at the tail end of my
6 first year, so I'll be starting my second year in February.
7 Welcome.

8 MS. FANELLI: Thank you.

9 MS. CHEEVER: I'm Julie Cheever. I live in
10 the Richmond District and i represent the neighborhood
11 group the Planning Association for the Richmond. I've been
12 on the RAB since '96, I think. I think it's the same
13 amount of time as Mark.

14 MR. YOUNGKIN: '96?

15 MS. CHEEVER: Whatever, and I'm a news
16 reporter that covers legal matters, and welcome very
17 warmly.

18 MS. FANELLI: Thank you.

19 MR. CHESTER: I'm John Chester. I've been a
20 community member since last year, so one year, and I live
21 in the Inner Sunset and welcome.

22 MR. BUDROE: I'm John Budroe. I live down
23 the road from San Pablo Reservoir, so you might be familiar
24 with that area.

25 I'm a toxicologist with Cal-EPA. I have been

1 on the RAB for I guess it's coming up on five years now.

2 MR. NARALA: Sorry for the delay due to
3 traffic. I'm Devender Narala with the Water Board.

4 MS. FANELLI: Okay. I actually do live in
5 the City. I didn't say that. I live over by Tower Market
6 near the Youth Guidance Center and my son goes to high
7 school over here at University High.

8 So he'll probably be commuting with me in the
9 morning and I'll drop him off.

10 FACILITATOR KERN: Very good. Thank you
11 very much.

12 MR. BERMAN: Who was that person to the
13 right of you?

14 FACILITATOR KERN: George, you may as well
15 say.

16 MR. FORD: I'm George Ford. I work for the
17 Trust and I'm coming up on nine years at the Trust, and I
18 live in Mill Valley where we have Marin Municipal Water
19 District water and we occasionally have electricity.

20 I'm thinking of moving to San Francisco
21 because the electron supply is more reliable over here.

22 FACILITATOR KERN: You have an update, then,
23 for us on the --

24 MR. FORD: Yes. I do. I thought we
25 would -- a good way to start off the new year might be to

1 just kind of go through -- informally go through a list and
2 some pictures of some things that were done last year,
3 because I know, you know, people come into the meetings
4 twice a month and different topics are emphasized I think
5 at each different meeting, and -- but, you know,
6 collectively we all get a lot of things done here.

7 And so I thought I would just sort of go
8 through a list and show a few pictures, and if I've -- I
9 put this list together earlier today, and if I've forgotten
10 any projects, my apologies to those of you who remember the
11 projects and the project manager.

12 So let's go.

13 This is a partial list of things that
14 happened in 2007. We completed RAP3, which was -- had to
15 get that finished before we could start working on any of
16 the RAP3 sites, and the biggest two would be Baker Beach 1
17 and 2A.

18 The realignment of Merchant Road was actually
19 completed in February of '07, and that realignment you
20 might recall created a staging area that we were able to
21 use to pile up and haul away Baker Beach 1.

22 The design for 1 -- Baker Beach 1 and 2 was
23 finished and submitted to DTSC. They reviewed it, allowed
24 us to proceed, and in fact during the fall, the landfills
25 were removed, and we are finishing up the punch list -- you

1 know, the final kind of chores for that project right now.

2 The landfills were bigger than we expected.

3 They were roughly 50,000 tons of waste in Baker Beach 1,
4 and there were roughly 22,000 tons of waste in Baker Beach
5 2A, so that's about 72,000 tons total, which I think is a
6 great testament to the Army's undying insight to pitch
7 things over the hill and fill up a hill.

8 And we hope with a little luck we may be able
9 to get the -- the top of the bluff open for pedestrians
10 later this month or possibly in February.

11 That's still -- we still have some issues
12 that we're working through and that we're negotiating with
13 the Park Service and DTSC. So I can't give you a specific
14 date, but we're working hard to try to get it open.

15 The Phase I cleanup in the parking lot,
16 parking lot between the commissary and the PX, including
17 the few potholes over in the edge of Crissy Field, the air
18 field is done.

19 We did some cleanup work at building 1063,
20 pushed along the design for buildings -- the remedial
21 design for buildings 207 and 231. Now that's still in
22 progress. There's still work to be done there.

23 The RAP3 area B sites, which are -- Brian, are
24 there twelve of them? I should know.

25 MR. ULLENSVANG: Twelve.

1 MR. FORD: Twelve of them that are packaged
2 in one large contract just went out to bid, and in fact the
3 bids came in yesterday, and our contracting department is
4 evaluating them.

5 I believe that the low bid is significantly
6 below the engineer's estimate, so that's always good news
7 starting out, although, you know, what really counts is
8 what the -- what it is when the -- yeah. What the costs
9 are when the job is done, but at least we think we're
10 getting off to a good start with those.

11 The corrective action plan for building 1349
12 is completed, and the work -- that job went out to bid and
13 the contract was awarded and it will actually start -- the
14 big digging up there will start the next couple of weeks if
15 the rain will hold off.

16 Building 1349 is actually not a building. It
17 was a 100,000 gallon steel fuel oil storage tank that was
18 located on the top of the hill near the Pacific Sailor
19 Memorial.

20 The Army took the tank down and they did a
21 partial cleanup in that area, but they didn't get
22 everything, and so we will be going back shortly to kind of
23 clean up the bits and bobs that they didn't get hold off.

24 We are right now doing some -- collecting
25 some additional information for landfills -- that will be

1 used in the landfill 8 and 10 design process.

2 We oversaw the Disney Family Foundation
3 excavation. That's actually not a remedial excavation, but
4 the remediation staff was closely involved in it because we
5 had identified that site as a possible source of soil that
6 we could use for -- in ecological restoration areas.

7 One of the issues that we deal with kind of
8 routinely is that the kind of backfill soil that you can
9 buy in the commercial markets in the Bay Area doesn't meet
10 all the cleanup levels that we needed to meet in order to
11 use an ecological restoration areas, but we did find that
12 in the -- the deep hole that they're digging for the
13 basement at the Disney Family Foundation building at 104
14 has produced about 7,000 cubic yards of native Colma soil
15 that is clean enough to use for eco -- in ecological
16 restoration projects.

17 There were some minor cleanups done during
18 the West Crissy streetscape improvements, mostly things
19 like they were drilling in new light standards and we had
20 to assist them in getting rid of the contaminated soil.

21 So we're taking credit for a lot of work that
22 other people did, but, you know, we spent some hours on it.
23 I decided to put it on the list.

24 Nina Larson, who you almost never see here,
25 does our lead-based paint in soil, and she does a good job

1 of it, and in 2007, she got 29 buildings cleaned up and she
2 actually completed the sampling at -- I believe 46 other
3 buildings.

4 So she doesn't get a lot of press, but she is
5 kind of over there in a corner chugging away, you know,
6 lining these buildings up, sampling them, figuring out the
7 digging scheme and then knocking them out.

8 We also worked on indoor sampling at building
9 937 and participated in the lease negotiations. There's a
10 tenant we hope going in there in 2008.

11 We participated in the construction start-up
12 building 933 where a swimming school, a children's swimming
13 school is going in. Both of those buildings have had
14 issues with soil and soil vapor.

15 We removed the last -- the last four tanks
16 that we know about in the Presidio, which were in the
17 basements of four of the historic dwelling units on Portola
18 Avenue, and Ryan Seilbach oversaw the removal of those this
19 summer.

20 They also removed one tank from building 105,
21 which had been placed there by FEMA when they occupied
22 building 105, and it was used to feed their emergency
23 backup generators.

24 So as far as we -- all the tanks that we know
25 about are all of the ground. I can guarantee you there are

1 still a few lurking around somewhere that will eventually
2 be discovered, but at least all of the ones that were
3 either identified by us or the Park Service or the Army, if
4 they were on a list, they're out of the ground now.

5 We're in the process of requesting tank
6 closures for several hundred tank sites. We're working
7 with Devender at the Water Board to move those through the
8 closure certification process in groups.

9 We're also working on a number of mini
10 corrective action sites, most of which don't require a lot
11 of physical work to close out, but they do require some
12 sampling and a preparation of a report that documents the
13 conditions are suitable for closure.

14 We went into a dispute resolution with the
15 Army and -- over Baker Beach 2A and reached a settlement
16 with them.

17 There were four Summit meetings which were
18 very productive and helpful in moving things along.

19 We did sampling at fillsite 6B, which is
20 really kind of a wide area that surrounds fillsite 6A where
21 there is essentially a thin layer of fill under most of the
22 paved surfaces in that part of the Presidio.

23 We finished off some sampling at the battery
24 frontal slopes which used to be called Baker Beach 1A. We
25 may be in the process of changing the names of that, but

1 what we were looking for is the roofing debris that the
2 Army pushed off of the coastal batteries.

3 They had a lot of problems with leaks in
4 those batteries. They put an asphalt roofing cover to try
5 to stop the leaks. It didn't work.

6 After a few years, they scraped all the
7 asphalt off and kind of threw it down in front of the
8 battery. So that's a project that we're working on
9 cleaning up, and we kicked off the RAP4.

10 Oops. We got some duplicates in here.

11 We did quarterly groundwater monitoring, did
12 some sampling along the remnants of the fuel distribution
13 system.

14 We did make some progress with the mustard
15 gas site. The Army did the heavy lifting there, but they
16 actually did come out and complete a site investigation,
17 and Brian, has a report been submitted? Have we gotten the
18 report?

19 MR. ULLENSVANG: I think so.

20 MR. FORD: Okay.

21 MR. ULLENSVANG: I'm not sure.

22 MR. FORD: But -- that one, it isn't open.

23 The fence is not down yet, but we think prognosis of
24 getting the fence down in the next six months to a year is
25 pretty good, assuming that DTSC agrees with us.

1 FACILITATOR KERN: Would the Trust take it
2 down?

3 MR. FORD: We put it up, so we'll take it
4 down.

5 We decommissioned some wells at the
6 Department of Engineering and Housing, which is actually
7 now the east end of Crissy Field. That's the final step in
8 the closeout and certification of that site.

9 We took a bullet trap out of building 1369,
10 which is near Ford Scott, did some field work at building
11 970, which actually is another tank, I guess, that wasn't
12 necessarily a building, and Jen Yada in our office spent a
13 significant amount of time getting Caltrans' Doyle Drive
14 geotechnical team in their efforts to do soil sampling for
15 Doyle Drive.

16 She did a good job of keeping them out of
17 trouble.

18 So that's the list, and here's some pictures.
19 Boy, is that washed out? That's new Merchant Road, and the
20 staging area that we used for Baker Beach 1 is kind of
21 behind those trees on the left-hand side, but we've got a
22 new safe intersection that the buses can make the turns
23 without riding up on the sidewalk.

24 This is -- I guess maybe all these pictures
25 are going to be washed out. This is Baker Beach 1 before.

1 You can see a roll of wire sitting on there, weeds all over
2 the place.

3 This is what it looked like during when we
4 had how many excavators. There are five excavators in that
5 picture passing soil up the hill.

6 That phase of the project is done and the
7 site is pretty much been stripped of soil. I don't have a
8 good after picture right now, but I promise next month when
9 I come in, I'll have some really good after pictures.

10 This is Baker Beach 2A before, and this is
11 what it looked like in the middle of it. You can see some
12 of the spider excavators working its way up the hill
13 collecting the waste, and this is before they started
14 carrying the waste sideways on the conveyor over to the
15 Baker Beach 1 site.

16 That's the tank that was at building 105, the
17 FEMA generator backup tank. I actually love these pictures
18 of dirt in holes.

19 This is one of the tanks that was in the
20 basement of the historic units in -- on Portola. You can
21 see the tank is in the bottom of the hole.

22 There's a big hole cut in the top of it so
23 that they can rinse it out and then put dry ice in it so
24 that it fills up with carbon dioxide and there's no
25 possibility for a spark ignition.

1 This is when they were initially installing
2 shoring adjacent to building 1063, as they were starting
3 the cleanup there. So that brought -- that project
4 actually -- I think still looks pretty much like that.

5 This is the contractor installing some
6 shoring at the edge of the excavation down in front -- in
7 the parking lot in front of the commissary PX. That's
8 actually the end of the commissary building or Sports
9 Basement on the left-hand side of the picture.

10 They had to do traffic rerouting in order to
11 do that work at the commissary, and this is, of course, my
12 favorite picture where the dirt's going in the truck and
13 the truck is going to go away. So this was loading out
14 some of the dirt at the commissary.

15 This is a shot of sampling that was done
16 along the fuel distribution system lines. You may recall
17 the fuel distribution system. There were many miles of
18 underground pipes that took fuel oil to most of the
19 buildings in the Presidio, and the Army took a lot of it
20 out, abandoned some of it in place, and the areas where it
21 isn't settled or the condition of it is not known, the
22 Trust is following up with sampling and in some cases
23 removal.

24 This is some more fuel distribution system
25 sampling, and this is an example of lead-based paint in

1 soil removal. You can see they've excavated away -- I
2 think that trench is about four and a half feet wide. It's
3 basically the first four and a half feet wide the
4 foundation walls.

5 This happens to be one of the Queen Annes up
6 on -- this one is at the corner of Presidio and Funston,
7 and here's another shot of this is how they do the work.

8 A lot of this excavation in close to the
9 foundation is done by hand. You know, they'll dig so
10 within a couple feet of the foundation with a machine, and
11 when they get right up next to it, it's guys in white suits
12 with shovels to finish it off.

13 This is a -- one of the larger houses up on
14 Infantry Terrace where they're doing lead paint removal.
15 You can see they've taped off the windows so that the dust
16 can't get inside the house, and this is actually done when
17 the residents still live there. You know, people still use
18 the houses while the work's going on.

19 MS. NEWTON: They're sanding the surface?

20 MR. FORD: No. They're basically digging
21 out a strip. The cleanup they're doing is --

22 MS. NEWTON: What causes the dust, then?

23 MR. FORD: Dust can happen any time you're
24 exposing soil.

25 MS. NEWTON: Just because the dirt is dry.

1 MR. FORD: Normally they will try to keep
2 the dirt moist, but basically if you're -- if there's any
3 question.

4 You can see I think in this photograph the
5 window above the guy's head is taped up. They just try to
6 do it to be cautious, but the hope is that they won't have
7 swirling dust and dirt.

8 This is the case where actually I think
9 there's a stairway that goes down into the house and they
10 were digging around it and hauling the dirt out by hand in
11 buckets, so, you know, they do whatever they have to do to
12 get rid of the lead bearing dirt.

13 This is a picture of some of the test pit
14 work that we did at landfills 8 and 10. This is a test pit
15 that is actually being extended down through landfill 8,
16 and landfill 8 is notable because a portion of it overlies
17 the former indigent sailor's cemetery for the Marine
18 Hospital.

19 So on this -- during this work, we had to
20 have an archeologist on-site all the time to make sure
21 that, you know, if we found any bones or any artifact, it
22 could be handled properly.

23 Another -- this is a test pit excavated into
24 landfill 8.

25 MR. BERMAN: Was there any -- anything of

1 archaeological interest found in those tests?

2 MR. FORD: Nothing significant. I think
3 there were a few odds and ends, but no bones or anything
4 that required follow-up study or anything like that.

5 MR. BERMAN: Because there was an estimate
6 given at one time of probable desecration of the graves,
7 and the question is did the test pits actually go down that
8 deep?

9 MR. FORD: I think they were trying to --
10 they were essentially looking for the top of the cemetery
11 and were trying to stay above the level of the grave --
12 graves, but, you know, again, that's sort of a -- something
13 like that tends to be a moving target because, you know,
14 you're dealing with old topo data and you don't know how
15 reliable it is.

16 But the plan is -- I think everybody would
17 like to stay up above the graves in doing the remediation.
18 Both out of respect for the -- the sailors that are there
19 and -- and also just because it -- administratively it gets
20 very difficult.

21 If you start bringing up bodies, then the
22 coroner has to come in and it gets extremely complex in a
23 hurry. So it's best to stay above that level, to the
24 extent that we can.

25 MR. BERMAN: Right, but at a given moment,

1 you'll have to decide whether you've got a clean margin;
2 right?

3 MR. FORD: Right.

4 MR. BERMAN: And you don't know yet.

5 MR. FORD: Right. This data -- the
6 consultant -- EKI did the test pits here and they are in
7 the process of evaluating the data and writing it up. So
8 we'll be seeing a draft report before too long.

9 Doug.

10 FACILITATOR KERN: This photo -- I don't
11 know where the test pit is, but kind of relating to what
12 Sam said, one of the -- I mean, since 1994, this was one of
13 the first things that we commented on was that there was
14 still -- the Army was trying to close these sites as if
15 there was rubble on top of the graves that had been pushed
16 over on to it and that we were interested in seeing the
17 rubble removed, and there was still a layer above the
18 graves to get some margin.

19 MR. FORD: Mm-hmm.

20 FACILITATOR KERN: Do you know if these test
21 pits gave any more delineation of that margin of the rubble
22 --

23 MR. FORD: Yeah.

24 FACILITATOR KERN: -- which we were
25 interested in getting rid of and leaving alone anything

1 over the top of the graves?

2 MR. FORD: You know, I don't know right now.
3 I would hope that we would -- you know, that the pits and
4 the report will shed some light on that, even if it's not
5 conclusive.

6 So when the draft report comes out, I can
7 take a look at it, but offhand, I don't know the answer.

8 FACILITATOR KERN: It's good to know you
9 didn't encounter bones, though.

10 MR. FORD: You know, it's interesting. It
11 gets to be -- at a fine level, it can be pretty complex
12 because we know -- actually human bones have been found on
13 the ground surface out at landfill 8, and the supposition
14 is that the gophers are -- some kind of little boring
15 critter is bringing them up and putting them on the
16 surface, and you can get into some really interesting
17 questions and discussions about, you know, things like if
18 you have to comply with NAGPRA, which is the Native
19 American Graves and Repatriation.

20 If you must comply with that, you know, the
21 question is okay. If you find two finger bones, does that
22 trigger NAGPRA, or do you have to have something more?

23 And the truth is there aren't clear-cut
24 answers for most of these things, so I personally think
25 it's fairly interesting as you work through them to -- you

1 have to make some judgments about how you're going to
2 proceed and learn enough about the subject so that you can
3 make what you hope are informed judgments that will stand
4 up to scrutiny, for -- but a lot of this stuff, you know,
5 there isn't a textbook that you can go to or a professor
6 that you can call and get the clear right answer.

7 So I always think that part of it makes it
8 more interesting.

9 MR. BERMAN: Well, what is the resident --
10 is there a defined criteria that the resident archeologist
11 uses in order to say that you've got something of interest
12 and stop digging?

13 MR. FORD: It's a good question. I am sure
14 that they do have criteria, but I don't know what they are.

15 I could pose the question to -- to the
16 archeologist who worked on this project who's a professor
17 at Sonoma State named Sandra Holliman, but -- so I know she
18 was there and that she was looking at things and making
19 judgments, but I -- I have to admit I don't know the
20 detailed criteria that she used.

21 One of the other things that we
22 discovered -- and this is something that we're still
23 evaluating, but they dug some test pits in front of the
24 Public Health Service Hospital and found some rubble there
25 in areas that had never been explored before.

1 So when we get the report back, we can look
2 at the maps and the test pits. We're going to try to
3 figure out what that means in terms of carrying through the
4 remediation of landfill 10.

5 MR. BERMAN: Is this -- is this -- are these
6 samplings going to better define the full dimension of 8,
7 which was one of the things --

8 MR. FORD: Yeah, that was --

9 MR. BERMAN: -- which was uncertain?

10 MR. FORD: That was one of the objectives.

11 MR. BERMAN: There's some sampling far
12 enough out beyond anyone's thought that 8 could ever get
13 out that far?

14 MR. FORD: Well, I think the intention was
15 to put the sampling out that far, but then again, you know,
16 sometimes you're -- you don't know how far you have to go
17 until after you've dug the pits and taken the samples and
18 analyzed them.

19 So I know that was one of the goals, but as
20 to whether they met that objective or not, I'm not sure.

21 I think -- there's another one in the
22 landfill 10 that's sort of toward the eastern end of
23 landfill 10.

24 And that is it.

25 MS. SEGAL: George, I have a question about

1 the Disney Family Foundation excavation soil.

2 MR. FORD: Yes.

3 MS. SEGAL: How does that work? Do you guys
4 have to pay for that?

5 MR. FORD: No. That's -- that's the miracle
6 of a project like that. I get beautiful clean dirt and I
7 don't have -- I do have to lift a finger. I have to lift a
8 finger and say, "Put it over there."

9 MS. SEGAL: But it isn't accounted for?

10 MR. FORD: Most of the people who come in to
11 do a project in the Presidio are -- you know, disposal of
12 soil is an issue.

13 MS. SEGAL: Of money.

14 MR. FORD: Yeah. And we try to negotiate
15 something that works for everybody.

16 I mean, if it's -- if we think it's going to
17 be bad dirt, you know, just sort of average fill coming out
18 of a hole, we'll tell the project proponent "no, we don't
19 want that dirt and you have to dispose of it off- site and
20 you have to tell us where you disposed of it so that we
21 have a record of where our dirt's going."

22 In a case like this, we -- we knew from the
23 soil borings that they did for the project that there was
24 anywhere from, say, two to five feet of kind of the usually
25 crummy fill at the ground surface, but that below that was

1 kind of a coffee with cream colored silty sand, clay sand
2 that goes down to thirty feet, which was the native Colma
3 that we wanted very much.

4 And so the -- they drafted a soil management
5 plan for that project and we helped them with it, and it
6 essentially said you got to dig about the first eight feet
7 out and get rid of it, and then from eight feet down to the
8 bottom of the hole, we will periodically inspect it, and if
9 it continues to look good, then we'll take it and we let
10 them stockpile it in a paved area on Mason Street.

11 MS. SEGAL: I know there's been problems in
12 the past with some pesticides in soil, but who does the
13 testing?

14 MR. FORD: They -- the project proponent had
15 an environmental consultant and we required them to do the
16 testing.

17 MS. SEGAL: Good. Sounds like a win-win,
18 hopefully.

19 MR. FORD: Yeah. It's good dirt, and
20 Brian's better with pesticides than I am.

21 Do you know around when chlordane in the
22 pesticides got started?

23 MR. ULLENSVANG: Generally about World War
24 II.

25 MR. FORD: Well, these building -- building

1 104 -- I should know, but I think they were built in 1880.

2 MR. ULLENSVANG: Something like that.

3 MR. FORD: So, you know, is this -- one of
4 the things that we were excited about building 104 is it
5 kind of had all the characteristics that suggested that
6 dirt might be good, because it was old enough that it
7 should have predated the Army's practice of hosing the
8 excavation with chlordane.

9 But we -- you know, we've been bitten by this
10 pesticide issue before, so we got to proceed pretty
11 cautiously.

12 MS. SEGAL: Great.

13 MR. BERMAN: A couple of small questions.
14 You didn't mention the findings of the ordinance in Baker
15 Beach, and that was an interesting and close call.

16 And the second question is I'm just wondering
17 in the accounting time spent by remediation personnel on
18 projects which are not supposedly remediation.

19 I mean, they have another account that they
20 can charge to so it doesn't come out of our infamous 99
21 million.

22 MR. FORD: Yeah, we do. We do charge to
23 other projects when we help them, and I guess the issue of
24 the -- the ordinance, you know, maybe my memory of pain is
25 not so good.

1 I didn't -- I probably should have -- we have
2 some good pictures from that, but, you know, we did find
3 ordinance in the Baker Beach 1 landfill, and I would say in
4 retrospect, we got through it, but the process was not as
5 smooth or as elegant as any of us would have liked or --
6 and I'm going to insist that it's smoother and more elegant
7 in the future.

8 You know, we did not -- when we started that
9 project, we had a -- our ordinance plan consisted of one
10 paragraph about that big in the work plan, and I think even
11 going forward -- going into the project -- you know, we
12 hadn't found a lot of ordinance, and we thought -- it's in
13 the general framework and we thought that would be enough.

14 We got a hard lesson when you start finding
15 this stuff, and when you need a much detailed plan, when
16 you're smack in the middle of a job, that is the worst time
17 to try to write one and then get everybody every -- write a
18 plan and get it vetted by experts and get people to adhere
19 to it.

20 Because, you know, we did end up writing a
21 much more detailed plan and we had a lot of trouble getting
22 people to adhere to it as religiously as they needed to.

23 So we're not going to do another one like
24 this. The next one, we're going to -- whether we -- if
25 there's any possibility of ordinance at all, we're going to

1 write the plan up-front and I think we're going to do
2 rehearsals with the contractor before the job starts and
3 everything else that we can think of to make sure that, you
4 know, we have a robust plan and that it will be followed.

5 Because we did have some troubles this time.

6 MR. BERMAN: That -- well, that's right near
7 where the mustard gas was discovered as a well and just on
8 the outside area -- area that was supposed to be checking
9 for it natural -- I think it was a look at some of the
10 possible natural occurring carcinogenics in the soil.

11 Is the well still active?

12 MR. FORD: Where they're checking for the
13 chromium 6 in the groundwater?

14 MR. BERMAN: Yeah.

15 MR. FORD: Brian, is that --

16 MR. ULLENSVANG: I'm not sure which --

17 MR. BERMAN: The well -- you know where the
18 mustard gas area is.

19 MR. ULLENSVANG: Yeah.

20 MR. BERMAN: And then there's actually a
21 trail that goes --

22 MR. ULLENSVANG: It's about six wells up on
23 that hillside.

24 MR. BERMAN: Right.

25 MR. ULLENSVANG: And those wells still

1 exist. The Trust is not currently monitoring those.

2 MR. BERMAN: So we don't -- I mean,
3 supposedly they were put in there to prove that the
4 naturally occurring --

5 MR. ULLENSVANG: In data -- the Army put
6 those wells in approximately 1998 or '99.

7 MR. BERMAN: No, but I thought there were
8 some new wells put in after the Livermore people came in
9 and reported that they thought that the chrome 6 was all
10 naturally occurring in the serpentine.

11 MR. ULLENSVANG: This was when the Army was
12 trying to demonstrate that. This was put in and we worked
13 with them to design some studies to provide the data from
14 which they could draw conclusions.

15 MR. BERMAN: Right. Do those wells exist
16 but they've never been sampled?

17 MR. ULLENSVANG: They were sampled for the
18 site, and the Trust monitored the water levels for a number
19 of years, and I believe right now they're not monitoring
20 the water levels and they're not being sampled currently,
21 but they would be available for sampling in the future if
22 somebody saw a need, and if you go walking up on those
23 trails, you'll see them. They're in the trails.

24 MR. BERMAN: I'm seen them there and I'm
25 just wondering whether they're being monitored in any way

1 and whether the -- I guess a decision was that the level of
2 chrome 6 occurring that was found in those areas were
3 consistent with the background.

4 MR. ULLENSVANG: That was the idea, that
5 those were natural levels of chrome 6 in those areas.

6 MR. BOGGS: Basically my agency agreed that
7 chrome 6 is naturally occurring here at the Presidio in
8 certain areas; i.e. the serpentine soil, but with every one
9 just occurring -- it's naturally occurring throughout the
10 Presidio is kind of looked at on a case by case basis.

11 We actually have enough information now that
12 when we look at the levels of ions present, if it were a
13 spill of chromic acid, it would be really clear that there
14 was a spill and something needed to be cleaned up as
15 opposed to -- we did enough of these bivariate plots of
16 ions to show that it's pretty naturally occurring.

17 And also the level that it's naturally
18 occurring has -- the highest level that occurred is right
19 at the drinking water level, and so naturally occurring, it
20 exists at a level that's safe for drinking water, but
21 barely.

22 At other area at the Presidio serpentine,
23 it's much cleaner. It doesn't have high chrome levels, but
24 at certain areas, it does appear to be occurring at high
25 levels.

1 So when we look at a particular site, we look
2 at it on a case by case basis to see if it's naturally
3 occurring or --

4 MR. BERMAN: Mm-hmm.

5 MR. BOGGS: For example, even at landfill
6 10, we don't think that there's a spill of chrome
7 materials, but there's slightly elevated chrome in the
8 groundwater.

9 We think that could possibly even be just
10 from the acidic materials in the landfill causing chemical
11 reactions that leached more chromium into the groundwater,
12 and since that sits above Lobos Creek, it is of a concern.

13 MR. BERMAN: Do you have a model that shows
14 that, that effect?

15 MR. BOGGS: We haven't gotten into the
16 detail to try to model landfill 10 to that extent.
17 It's -- it's been in one well. It's at the toe of the
18 landfill that we're concerned with and it's kind of just a
19 few recent hits.

20 So there's not a -- a volume of information
21 to really develop a good model yet, but it is something
22 that the Trust and DTSC look at very closely on a site by
23 site basis.

24 MR. BERMAN: So when you spot something like
25 that, is it obvious from the bivariate analysis that it's

1 not naturally occurring?

2 MR. BOGGS: In this particular case, like at
3 landfill 10, it's probably from a natural material and now
4 secondly determining if it's being enhanced because of
5 man's activities, that's a more difficult determination.

6 If it were from a chromic acid spill in the
7 landfill, it would show up pretty clearly, and it doesn't
8 look like that, but it looks like because of the serpentine
9 soil, which is high in chrome, some other things in the
10 landfill might be helping to leach that.

11 MR. BERMAN: Thanks.

12 MR. CHESTER: Was there ever a known history
13 of cooling towers? You guys are talking about chrome 6 and
14 you have the anti-scaling.

15 MR. BOGGS: Yeah.

16 MR. CHESTER: And the backwash or blowdown.

17 MR. BOGGS: Not that I'm aware of.

18 Are you, Brian?

19 MR. ULLENSVANG: I'm sure there must have
20 been some showing somewhere in the Presidio. The hospital
21 denied that they used chrome 6 in the Presidio.

22 There is evidence that they did have chromic
23 acid, which is chrome 6, because we found waste manifests
24 where they were shipping it out of here.

25 So it's hard to say where it could have come

1 from, but the cooling towers would certainly have been a
2 possible source.

3 FACILITATOR KERN: Thank you, George.

4 MR. BERMAN: Do you think there was a
5 cooling tower when the -- when the Letterman animal
6 experimental facility was in operation? Because a lot of
7 that area -- those areas were -- had a certain amount of
8 specialized waste condition.

9 MR. ULLENSVANG: I don't know enough about
10 the operation of those cooling towers or types of chillers.
11 They wouldn't have used a cooling tower. I don't know, and
12 how they managed their blowdown, if they put it into the
13 drains, then you may not expect much spillage to the soil.

14 You expect other problems elsewhere, but I
15 really don't know.

16 FACILITATOR KERN: Thanks for all those
17 photos and update, George.

18 MR. FORD: You're welcome.

19 FACILITATOR KERN: Looking forward to seeing
20 more evidence.

21 MR. BERMAN: Can I ask kind of a slightly
22 non-technical question?

23 Do you feel good about the accomplishments of
24 2007? Do you think it was a target -- it looks like many
25 targets were met and some were not, and I'm just wondering,

1 you know -- as you look back on the year, do you think
2 you've accomplished everything that you could, and if you
3 didn't, who's to blame?

4 MR. FORD: Well, I think it was a good year.
5 The way we've always done our planning in the remediation
6 group -- and Brian will vouch for this because it makes him
7 crazy -- is that we, you know, stack up a -- we try to come
8 up with a list of chores for the upcoming year that we know
9 is impossible, but we figure the way to do it is to have a
10 big list and just see how far we can get, and, you know, we
11 understand that that -- that approach has some
12 ramifications, including making it very difficult for the
13 Park Service and other partners to, you know, plan what's
14 going to happen and what's going to be done when, but I
15 would say it was a good year.

16 It wasn't a fantastically great year, but,
17 you know, it turned out fine, and I think we -- we did a
18 lot of things that everybody can be proud of.

19 I think in particular the Baker Beach
20 projects were both difficult and kind of unusual, and so,
21 you know, as far as I can tell, there aren't any other
22 projects like that going on around, certainly in California
23 and maybe in the United States as a whole.

24 So I think we did do some good stuff.

25 MS. MONAGHAN: Would you mind e-mailing the

1 list to us?

2 MR. FORD: The list of the projects? I'll
3 edit it. I had a couple of duplicates. Somehow I'm
4 comfortable taking credit for projects where somebody else
5 did most of the work, but I hate having duplicates on
6 there.

7 But yes, I will send that out.

8 MR. BERMAN: I'm wondering if in the cleanup
9 news or in the publications in the Presidio whether you'd
10 like to list all those accomplishments in terms of the
11 summarizing the cleanup activities for the year, because
12 that's actually a pretty impressive list when you look at
13 it.

14 MR. FORD: I think that's a good idea. We
15 should -- for sure we should put it on the remediation part
16 of the Website, and I know we just started having some
17 dialogue with Brian about -- you know, I think that when we
18 get the Baker Beach bluffs open again, I -- I think that
19 the Trust and the Park Service and DTSC should do some kind
20 of a -- either a ribbon cutting or -- I'm not really --
21 public relations is not exactly my thing, so I don't quite
22 know how that's done, but the Park Service has people and
23 so does the Trust have people who know how to plan that.

24 But, you know, I think it's a big juicy
25 project and it ought to be on the ten o'clock news.

1 MR. BERMAN: Yeah, but still the list itself
2 is pretty impressive for the entire year, and it would seem
3 to me that it would be nice to get that information out in
4 various ways rather than just e-mailing it to us.

5 MR. FORD: Well, let's -- I think we
6 probably could get the word out, so let me -- let me --
7 I'll talk with Jody Stanford and Tia Lombardi and see what
8 we can come up with.

9 Gloria.

10 MS. GEE: Along that line, or I guess some
11 additional information that would have on interest is like
12 if you can attach the number of staff FTEs to all that even
13 though you worked with a lot of contractors, and then say
14 well, if we had additional couple FTEs, how would that list
15 of accomplishments be, you know --

16 MR. BERMAN: You mean as an internal
17 document?

18 MS. GEE: It's something like if everyone's
19 working -- concerned about the time frame --

20 MR. FORD: Mm-hmm.

21 MS. GEE: -- then the other people -- I
22 don't know what. Ten percent or twenty percent more FTEs,
23 how would that reflect in the activities of each year.

24 You can do it sort of retrospectively, but
25 also forward planning.

1 MR. BACH: FTEs?

2 MS. SEGAL: Full-time equivalents or
3 employees.

4 MS. GEE: That would be of interest in terms
5 of planning or managing the projects over a fixed time
6 horizon.

7 MR. FORD: It's a good point, and I know we
8 are very interested in, you know, driving -- driving the
9 machine faster down the road.

10 I mean, we need to in the future because
11 we've got a -- you know, a deadline, both for the Trust's
12 financial sufficiency deadline, but we also have our
13 insurance policy deadline, and so we need to spend the
14 money efficiently, but we need to spend it all before the
15 policy expires so that, you know, we maximize the chances
16 for successful claims.

17 MR. BACH: George, are projects planned or
18 is there a planning cycle or the planning cycle you are
19 using, is it based on a calendar year or a fiscal year?

20 MR. FORD: Yeah. It is -- it's actually
21 done both ways, but I -- the remediation schedule that we
22 keep, that is calendar years, isn't it, Brian?

23 MR. ULLENSVANG: It's just a calendar. So
24 this is not appropriated money and it doesn't have a year
25 to it. It's cash and time periods. So it could be looked

1 at either way.

2 MR. BACH: So we're beginning now the
3 projects for this calendar year, and so based on our
4 contribution, this is the beginning of a cycle or project
5 plan?

6 MR. FORD: Well, we are in -- we just
7 finished the first quarter of federal fiscal year FY '08
8 because it started October 1.

9 For most of our projects, the planning cycle
10 is significantly longer than a year. So, you know, I
11 guess -- I apologize for my own sort of confusion, but it's
12 -- I actually look at things in terms of the project, the
13 entire project lifecycle, which, you know, in the case of a
14 big landfill removal, it's probably three or four years to
15 get through the planning process and do the construction,
16 and then once the removal is complete, you've got normally
17 at least a three-year tail of groundwater monitoring after
18 that.

19 So projects are very long.

20 MR. BACH: I don't think I meant project
21 completion but planning for the projects and creating a
22 budget and a timeline for that project and then going to
23 the next projects.

24 MR. FORD: Well, all of -- we maintain
25 schedules and estimated costs for all of our projects, the

1 ones that we're working on right now and the ones that are
2 yet to be started in the future. We'll continue doing
3 that.

4 MR. BACH: Just kind of ongoing?

5 MR. FORD: Yeah.

6 FACILITATOR KERN: I'm going to jump in and
7 move the agenda, because there may be a couple things you
8 want to see.

9 We have -- thanks again, George, for that
10 report.

11 MR. FORD: My pleasure.

12 FACILITATOR KERN: We didn't have a
13 committee meeting, but we did have the Mountain Lake group
14 work, and I'll talk about that here on number 5A.

15 Just to give you an update, then, each of --
16 the Mountain Lake topic and the Summit meeting we could
17 probably spend two hours on each of those subjects, but we
18 have about 45 minutes to cover both, so we may have a lot
19 of questions about Mountain Lake, but we're going to try to
20 go about twenty minutes and then about twenty minutes on
21 sub B.

22 For Mountain Lake, I sent -- I think my
23 agreement with you was to convene the Mountain Lake
24 Subcommittee.

25 I didn't do that because I was trying to make

1 contact with the various people at Friends of Mountain Lake
2 Park.

3 I was unlucky with my first two attempts with
4 different people. It took a couple weeks, but I was quite
5 fortunate on my third attempt with the third person.

6 We dug up their e-mail and exchanged that with the
7 subcommittee, all those back and forth.

8 It turns out that a member of Friends of
9 Mountain Lake Park, Kate Scanlan, had been -- I think she's
10 an attorney and she's in that group, and she was working
11 with the group that was -- that actually met with the
12 Trust, and my understanding of those meetings was that not
13 a lot occurred out of the meetings.

14 They were glad to meet, but the Trust had
15 their strategy; Mountain Lake Park needed their strategy.

16 They had talked to me about -- that they had
17 contacts at the highest levels within Caltrans. They began
18 somewhere else, I guess, more close to home, which was
19 their supervisor, which was Supervisor Alioto-Pier.

20 They made contact with the supervisor and
21 raised her awareness to the situation to the degree that
22 there are hearings that are being attempted to be put
23 together at the beginning of February.

24 There's a date -- Peter O'Hara joined me in
25 writing some letters back and forth because he knew one of

1 the aids to Supervisor Pier -- Alioto-Pier.

2 Peter learned just last night and forwarded
3 me the e-mail that this hearing might be on February 4th,
4 and in that case that we might want to be able to meet with
5 the supervisor ahead of that to tell them about what we
6 know.

7 That's really the very short description of
8 what happened over the holidays, which I was actually
9 amazed that we got anything accomplished.

10 There were people around. They sent e-mails.
11 I think one of them was on Christmas Eve that the person
12 actually responded, so I was -- I was amazed.

13 So we're -- Kate Scanlan has told both Peter
14 and myself that she's going to keep us informed about their
15 efforts around these hearings, and the aid to Supervisor
16 Alioto-Pier is also in communication with us, and we've
17 actually gone quite a ways down the road in getting this
18 issue raised.

19 So that means getting a lit bit more prepared
20 for those preliminary meetings ahead of possibly hearings
21 on February 4th, and for that, I'm going to pass around
22 this first handout.

23 With the help of Laura Castallini, Brian's
24 staff, the Park Service, she printed out a list of all of
25 the documents at the Park Service related to Mountain Lake.

1 I go back to 1995 up through 2005.

2 Just to refresh everybody's memory, back in
3 1994, the Army declared that Mountain Lake was a no further
4 action site. There was not to be any cleanup necessary.
5 They had tested it. No problem.

6 It turns out that a UC-Berkeley student, a
7 grad student was doing some cores of the lake to do a
8 pollen study. He did that pollen study, and then in this
9 process of actually breaking down the cores, doing some
10 analysis, they found lead in those cores at fairly high
11 degrees of lead.

12 There was quite a public outcry because this
13 student and his professor did not really come back to the
14 Park Service or the Trust and say, "Hey, we found this."

15 They immediately went public and there was
16 all this outcry, and nobody was particularly pleased about
17 that, but it got quite a bit of attention, and the result
18 of that were -- particularly when the Trust became the
19 agency for cleanup, it was known that we needed to do some
20 new sampling runs.

21 So you'll see in this list of reports in
22 2001, there was a sampling event, so there are sampling
23 plans and there are sampling draft rounds.

24 There was another sampling round done in
25 2004, and that's listed here, and these are all the draft

1 documents listed and the finals that kind of shows you what
2 it took -- what it takes to get a document done in this
3 process.

4 There's a huge amount of back and forth just
5 planning and then the actual final report, there's a lot of
6 editing.

7 There was also a 2005 sediment
8 characterization. So right here I have the final report
9 with all of the -- this is 2005. It is a -- I don't think
10 it was finally released as a final document. It's still a
11 draft report, but I did get a copy.

12 So within this document, to give you an idea
13 of the contaminants that were found at Mountain Lake, lead,
14 zinc, copper and mercury, it's mostly in the first two feet
15 of the sediment of the lake, but there have been hits of
16 arsenic, particularly deeper, below four feet. There is
17 also low levels of pesticides all around the lake.

18 There were some sampling for the various
19 constituents found in serpentinites, premium, nickel,
20 vanadium.

21 Some of those were found and it was related
22 to perhaps fill. I think maybe the fill material used to
23 fill in the Highway 1 roadway. That was a finding.

24 Cadmium has shown up in various locations,
25 and then there was some sampling done for purposes of a

1 future cleanup.

2 So we did who's called the TCLP and the west
3 task, and that's to determine if this material is mobilized
4 or can be mobile in the environment, and it was found that
5 at least according to this study that the results
6 indicated, at least in the top four feet, and I'll just
7 read from this conclusion.

8 "If the material was homogenized and
9 solidified as a drying agent, the majority of the dredged
10 sediment would not be classified as a state or federal
11 hazardous waste."

12 Now, I don't know -- this has been through a
13 number of looks and that will be -- have to be determined
14 in the final remedy of what is done with the dredged
15 material, but that's actually good news.

16 There was another operation done. It's
17 called column settling where they let the sediment settle
18 out that's in the water column.

19 It's mixed up and it's settled and then they
20 test that water to see whether the water would have
21 dissolved metals or hazardous materials.

22 Again -- well, this study seemed to indicate
23 that quote "the dewatering operations would be time-
24 consuming without chemical or mechanical enhancement."

25 So I guess what that means is you're dredging

1 all this stuff up, it stays suspended in the water.
2 There's some other process to get it to shake out so you
3 can get rid of the water.

4 MR. BERMAN: Well, these are heavy metals,
5 right? So you wouldn't expect them to -- I mean, you might
6 expect some of them to be in suspension, but things like
7 arsenic and cadmium, you would expect to settle out?

8 FACILITATOR KERN: I'm thinking that's more
9 in just the straight dewatering of the sediment, that we
10 dig it up and you put it in a bin.

11 All the sediment just doesn't immediately
12 settle out, so when there's suspended actual particles, but
13 just actual dirt, clays don't settle out quickly.

14 And some clays, of course, you probably --
15 none of this -- maybe not, but as a nerdy scientist like I
16 am, you shake up a bottle of sediment with clays and
17 you -- super fine particles and it can take decades for
18 that to actually settle. But that's a whole sidelight.

19 All right.

20 MR. BERMAN: Einstein got his first prize
21 for the physics of that. It's called the Physics of
22 Brownian in Motion.

23 FACILITATOR KERN: Indeed.

24 Finally, within the study which is relevant
25 to the testing is the actual water that would be delivered

1 to perhaps a storm sewer after the dewatering process.

2 "They did processes where they tested the
3 water after shaking it up with this contaminated sediment,
4 and it appeared that the discharge from sediment dewatering
5 operations would -- is unlikely that that water discharge
6 from sediment dewatering operations would require treatment
7 other than settling or filtration prior to discharge."

8 So that's a good thing, too, if this is all
9 correct.

10 So we have -- those are the contaminants.

11 Basically the reason I'm giving you this is
12 we do have maps. We have results of studies, a lot of
13 studies and we have our own timeline of our issues with
14 Caltrans.

15 So this is a package that I'm going to need
16 some assistance from the subcommittee to help put together
17 the documents and the package. So we could go to the
18 supervisor and fill them in on what the details are.

19 MR. BACH: Doug?

20 FACILITATOR KERN: Yes.

21 MR. BACH: Based on what you've been able to
22 do and your scientific evaluation, do we have a good case?
23 And do we have enough evidence and material to make our
24 case? In layman's terms.

25 FACILITATOR KERN: Very little doubt that

1 there is a lead problem in the top two feet, which from
2 other studies of that this report references says that's
3 from the last fifty to seventy years' worth of materials,
4 the top two feet.

5 So you've got lead and these other
6 constituents from the roadway, and that's pretty clearly
7 demonstrated in here.

8 MR. BOGGS: Having met with Caltrans
9 attorneys, I think that point's been made to Caltrans
10 pretty clear, and I'm not sure that they're even contending
11 that the outfalls from Highway 1 seem to be where the lead
12 is most highly concentrated.

13 It looks pretty evident, as Doug's saying,
14 the issues that are coming up with Caltrans tend to be more
15 on a legal basis, in the discharges from roadways
16 throughout the United States and are not generally
17 considered the responsibility of the Department of
18 Transportation or in California, Caltrans. They're
19 exempted by law.

20 So then you're getting into a whole series of
21 legal questions that it's not about -- I think the
22 technical case is solid, and I don't even think there's
23 much contention there, but the legal case in how it would
24 set precedent throughout the United States for cleaning up
25 every ditch along every highway is not very clear.

1 MR. BACH: Right. That's really what I was
2 kind of looking for technically if we take this to where we
3 want to go, you know, do we have enough evidence -- I
4 didn't know the history. It appears that we do.

5 If we're going to take it to supervisors, are
6 we going to be able to easily and comfortably convince them
7 that something needs to be done, whether it's Caltrans or
8 something else?

9 Clearly it's in the best interest of the
10 community and it's a detriment to human health if
11 something's not done, and if we got that iron clad, then,
12 we're all set.

13 FACILITATOR KERN: And I guess what I -- how
14 I would respond is because this has gone on so long, I
15 mean, with the stalemates and the -- sort of roadblocks
16 have been so enormous, the foot dragging by Caltrans is
17 we're taking these baby steps to meet with Friends of
18 Mountain Lake, they're mobilizing their forces.

19 We'll expand that. We'll gather as large of
20 a public outcry as we can because it's not going to -- we
21 may not win on a legal case, but it will be as much
22 pressure as we can apply to clean up this jewel in the --
23 in this area of a lake that is contaminated.

24 John and then Sam.

25 MR. BUDROE: Two questions. Number one, how

1 are we going to coordinate what we're doing with what
2 Friends of Mountain Lake, et cetera are doing?

3 And number two, since the City doesn't have
4 any direct say-so as far as what Caltrans does, how do we
5 or they force using the upcoming hearings that the City's
6 going to do as a springboard for having the state do
7 something?

8 FACILITATOR KERN: The first question is
9 we're in touch with people in both the supervisor's office
10 and Friends of Mountain Lake, at least the person that's
11 doing the most. So that's the first step in coordinating.

12 The second part about exactly what we're
13 going to do is a bit more of a question.

14 We do have to at least begin the education
15 process. We have to tell people what the contamination is
16 and what kind of roadblocks we've run in to, and then I --
17 it's -- I put my trust in the mutual brain power of
18 groups -- of our group and theirs to say, "Well, I know
19 this person. I know that person" and begin to devise a
20 strategy that way.

21 But it's -- it is the question what are we
22 going to do.

23 Sam.

24 MR. BERMAN: I just want to ask Bob. On the
25 legal side of this, I thought that Caltrans had a pretty

1 good out for setting a statewide policy because of this
2 special agreement that they had with the Army when they
3 made the -- the tunnel and that construction there.

4 So that agreement is a special agreement
5 which could allow them to do something and not -- not set a
6 precedent for anything else.

7 MR. BOGGS: That may be a little avenue,
8 correct, and back when Craig was pursuing the grant option
9 was maybe another avenue that Caltrans could possibly
10 provide funding without really setting precedent.

11 Again, this is where my agency's actually
12 stepped back from getting in the legal battle because it's
13 really between the Trust and Caltrans.

14 We believe the lake needs to be cleaned up.
15 Whether the Trust or Caltrans pays for it, we aren't vested
16 in which agency pays for it. Just that the job gets done
17 correctly and adequately.

18 And you do bring up a good point in how the
19 attorneys will actually resolve the issue at the end. You
20 might have -- you might be presenting a good pathway for
21 them to evaluate, but again I know there's attorneys
22 involved already and that their negotiations are at a level
23 that I'm not privy to at this point.

24 MR. BERMAN: I see.

25 FACILITATOR KERN: All right. So I think

1 it's important for all of us to kind of you -- you know,
2 we'll keep our Mountain Lake subcommittee together.

3 If the Trust can squeeze out any other
4 information for us along the way, any winks, any nods, any
5 of that, you know, any data that we don't -- any way we're
6 looking at in that we don't know about that you guys would
7 be helpful.

8 So we can talk about this a while longer. I
9 want to move on unless there are other questions. So we
10 did -- yes.

11 MR. BERMAN: One very minor question. A
12 1998 report of EKI, they did sampling that I don't think I
13 ever read that report, but did they sample the soil below
14 water or did they --

15 MR. ULLENSVANG: They sampled the soil below
16 water.

17 MR. BERMAN: And they didn't find any lead?

18 MR. ULLENSVANG: They didn't find any lead
19 above the levels that were actionable and that was partly
20 because of the way the sampling was done compared to the
21 way sampling from the student was done later.

22 MR. BERMAN: Actually, if they'd done the
23 sampling right back in 1998, we would have known about it
24 then?

25 MR. ULLENSVANG: The objectives were a

1 little bit different. The sampling was done to look at
2 what the dredged material would look like, and so the
3 samples were over a larger interval, and the -- what was
4 later learned from the pollen study is that the highest
5 lead was in a very thin layer of sediments.

6 And so if you take a thicker sample, it tends
7 to average the numbers down, and so it wasn't that it was
8 done right or wrong; it was just the objectives were a
9 little bit different, and so one objective didn't see the
10 elevated lead. The other objective did.

11 MR. BOGGS: I actually looked at that more
12 closely, Sam, and what happened is they put a core in and
13 they literally took a sample here, and the most highest
14 concentrated level was about here and they took a sample
15 here and they just missed it by chance.

16 They literally did -- the net way they went
17 about the plan was very systematic. They followed their
18 plan and did everything correctly, but it just happened
19 that highest layer was at two and a half feet and they
20 sampled at two feet and three feet. Go figure.

21 And so they did find some lead, but it just
22 wasn't at that high a level as if you had gotten to that
23 very thin layer.

24 FACILITATOR KERN: The next promised agenda
25 item if there are no more questions on Mountain Lake --

1 there probably are -- is about the Summit meeting, which is
2 September -- January 24th.

3 There will be a RAB committee meeting on
4 January 22nd, so we'll have a chance to talk about it a
5 couple nights before the Summit meeting.

6 The idea was -- at our last regular RAB
7 meeting in December was to give you schedules, cash flow
8 and issues to be discussed.

9 Primarily what is going to be discussed, I
10 think, at the next Summit meeting will be RAP4, because it
11 will be the next item up, landfill 10, landfill 8 and a few
12 smaller sites, but to frame that, I think it may be
13 worthwhile to look at these two handouts that I passed out.

14 We're looking at the graph. What this graph
15 is is the projected cash available because -- this is --
16 these data are as of the close of the third quarter of last
17 year.

18 So it doesn't include the spending -- the
19 principal spending on the Baker Beach sites, but those --
20 this is in here in the projection for the next quarter.

21 So what this graph is is showing the --
22 really the projected cash depletion as we do projects and
23 what I'm calling the best case are the numbers that the
24 Trust uses in their documents that they hand out to us
25 every quarter. So these numbers that I use in here are

1 from them.

2 What I used to create this in this handout,
3 the other handout, if you look on the left-hand column,
4 you'll see the year going down 2007, 8, 9 through 12. The
5 insurance policy expires in May 2014, so we don't have
6 really a construction season in 2014.

7 I made the assumption that we'll need 2013 to
8 kind of cleanup, you know, fix up sites. We will need to
9 be doing a lot of things in 2013, so we need to save that
10 year.

11 So I've tried to fit in all the projects to
12 be completed by December 2012.

13 You see in the second column down are the
14 quarters, X4, 1, 2, 3, 4. The third column is the best
15 case, and these are the funds available remaining after
16 every quarter after the projects are completed.

17 The projects are what you see reading along
18 in that particular row. So for 2000, quarter number four,
19 you see Baker Beach 1 and Baker Beach 2A. There was also
20 groundwater monitoring, mini-caps, lead-based paint, soil
21 and administration, which you see kind of generally being
22 done.

23 The expected case is that I've added 25
24 percent cost to everything across the board, which we've
25 seen a lot more than 25 percent increases in certain

1 projects.

2 The worst case is if everything costs sixty
3 percent more than we anticipated. And those data -- those
4 three columns are the graph you see.

5 So the important thing to look at in the
6 graph, at least from my perspective, is out in 2011,
7 between quarters number two and three, we run out of money
8 in the best case, and if you look back at the chart the way
9 I've got the schedule laid out, I didn't do this in
10 advance. It was just the way -- and I made a whole
11 priority scheme and I can show you all the backup for that.

12 Hopefully we'll work through that, but we run
13 out of money after we're halfway done on landfill E.

14 So I think what this indicates is that we
15 will have major projects to do and we will run out of funds
16 to do them, and so that puts a challenge and a frame around
17 our Summit meeting about all the things we talked about
18 over the last couple years, which mostly has to do with --
19 we've kind of determined that cost reduction and savings
20 and efficiency isn't necessarily going to save us enough
21 money to get this all done.

22 We have many obligations that we need to
23 meet, and so we're going to have to be creative and look to
24 a whole bunch of different ways to solve this problem,
25 whether it's get more money or -- from a variety of sources

1 or different partnerships or whatever that turns out to be.

2 If we have more expenses than we anticipate,
3 we will run out of money sooner. In the expected case,
4 that's going to be in about two and a half years. 2008,
5 2009 and then halfway through 2010.

6 So our -- our venture into finding these
7 funds or the finding a way to complete this project, we
8 have to be doing that now. We have to be thinking about
9 how this is going to happen.

10 We need to be communicating these ideas to
11 management, in particular this seems like these are good
12 documents for the Summit meeting, and so that's why I put
13 them together.

14 So we'll have these for the Summit meeting.
15 People can argue with the numbers, but all the numbers here
16 are the ones coming from the Trust.

17 So then it can be argued well, I don't like
18 how you prioritized these, but -- and we can change around
19 the schedule.

20 MS. NEWTON: You're still going to end up
21 with the same numbers, so --

22 FACILITATOR KERN: You're still going to run
23 out.

24 Bob.

25 MR. BOGGS: You have set it up in terms of

1 kind of site completion on a project basis.

2 FACILITATOR KERN: Right.

3 MR. BOGGS: It also tend -- at the Presidio,
4 the RAPs themselves seem to be pretty labor intensive, time
5 intensive efforts.

6 I thought if you thought maybe incorporating
7 those in here as project, as well, or in some way have you
8 taken the costs associated with the RAP and alleged them
9 to the sites here, as well?

10 FACILITATOR KERN: Indeed. All the RAP
11 planning costs are apportioned to the sites, as well.

12 So it's all in there, and just for purposes
13 of simplification, I jammed all of the planning costs. It
14 tends to be ten to fifteen percent of a site for the big
15 ones, much more for the small ones to just the quarter that
16 it was completed.

17 It turns out, though, that within this last
18 time period, this last quarter, I had data originally from
19 last summer, for the June and this past end of the year.

20 I received the third quarter data, so a lot
21 of RAP3 costs are now incorporated in the -- the planning
22 costs are in all the RAP3 sites, the area B sites, for
23 instance.

24 MR. BOGGS: Mm-hmm.

25 FACILITATOR KERN: So that's just a little

1 bit of an overview.

2 Is there another question? Yes. John and
3 then Jan.

4 MR. BUDROE: Is there any way to factor in
5 the potential impact of either one of the two Zurich
6 policies?

7 FACILITATOR KERN: Well, from what I
8 understand about the policy, as soon as we reach 85 percent
9 of spending a hundred million, then there's more and more
10 reporting requirements and then we have to spend a hundred
11 million of allowable, and when we do that -- well, that's
12 something that's not factored into these graphs are
13 allowable costs expenditures. That's true.

14 I mean, there's some unallowable mixed in
15 with this.

16 MR. BUDROE: Where I'm going is more with
17 that is potentially, you know, your swing is you're going
18 to be -- we're going to be somewhere between forty to sixty
19 million in the hole to finish everything.

20 My question is: How much of that potentially
21 might be picked up by Zurich?

22 FACILITATOR KERN: Well, exactly, and that
23 gets back to what George was saying. In order to really
24 kind of totally test that, it doesn't seem like we have any
25 other way to test that until we spend all the money.

1 MR. YOUNGKIN: We have to finish all the
2 work first and then invoice the insurance company.

3 MR. HULTGREN: Does Zurich reimburse the
4 Trust so that the Trust has to spend the money first and
5 finish the work?

6 FACILITATOR KERN: Precisely.

7 MR. HULTGREN: And do they have to spend the
8 money and finish the work within the terms of the policy?

9 FACILITATOR KERN: Exactly.

10 MR. HULTGREN: It's not if you run up to a
11 hundred thousand, then it triggers --

12 MR. ULLENSVANG: To finish the work, you
13 have to spend the money.

14 FACILITATOR KERN: You have to spend the
15 money.

16 MR. HULTGREN: And where are they going to
17 get the money?

18 FACILITATOR KERN: Well, there is enough
19 money -- there should be enough money to actually spend a
20 hundred million in allowable because they've had interest
21 on the hundred million, and that will be about twenty
22 million in interest. So there's a little bit of -- and
23 that's all in these numbers.

24 So it will be cutting it close, but they
25 should be able to actually --

1 MR. HULTGREN: It will cover all the work
2 that is required. Is that right or not?

3 FACILITATOR KERN: No. They -- the Trust
4 should be able to have enough money to actually -- if we
5 spend it quickly enough, to spend a hundred million in
6 allowable costs and then start submitting claims to the
7 insurance company.

8 MR. ULLENSVANG: So the Trust would have to
9 cover the gap waiting for the reimbursement to come
10 through, which depending on how quickly the insurance
11 company pays -- we know how likely it is they'll pay
12 quickly. There could be a substantial gap as they turn
13 around.

14 FACILITATOR KERN: There could be a lot of
15 discussion, arguing, even litigation. Who knows?

16 Yeah.

17 MR. BERMAN: The twenty -- the way the
18 policy is specified -- because, you know, we never
19 could -- in spite of all your efforts to look at the
20 policy, we never could see it.

21 The question is what you said implies that
22 the Trust has about a twenty million cushion from the
23 interest, because the policy says when you spend a hundred
24 million, and, you know -- and so the Trust has some ability
25 to go beyond a hundred million and continue to work because

1 of the interest cushion.

2 FACILITATOR KERN: Right.

3 MR. BERMAN: And so it's during that period
4 where the hundred million has been spent and you're drawing
5 on the cushion of the twenty million that you have to get
6 action out of the arguments with Zurich.

7 FACILITATOR KERN: Right.

8 MR. BERMAN: And so it seems to me that, you
9 know, that's kind of a strategic plan that has to be
10 examined as to how you actually operate that so that --
11 because just toward the end, you're probably going to be
12 working very hard to spend the money, and then suddenly you
13 may not want to go with that rate because you're going to
14 live off the cushion and fight the legal battles with
15 Zurich.

16 So, I mean, there's some kind of planning out
17 there that, you know, I would guess is the wartime. You go
18 into that war zone.

19 MR. FORD: You can see that it looks like
20 the Trust is going to want to have a very high burn
21 rate --

22 MR. BERMAN: Right.

23 MR. FORD: -- for quite a while, but then
24 once you reach that, then you want to cut it down, because
25 after that point --

1 MR. ULLENSVANG: You don't want to do it too
2 fast, because once you start burning after the end of the
3 policy, it's your money again.

4 MR. FORD: Right.

5 MR. ULLENSVANG: To complete the job, you
6 get where the policy is.

7 MR. FORD: Right. You know --

8 MR. BERMAN: It's a very tricky business.

9 MR. FORD: It bears some very careful
10 planning.

11 FACILITATOR KERN: That's why I left the
12 extra year in there to cover that time. We're going to
13 need that.

14 MR. YOUNGKIN: It sounds like a loan.

15 FACILITATOR KERN: Jan.

16 MS. MONAGHAN: Why is there a gap if the
17 fourth quarter of 2011?

18 FACILITATOR KERN: Gap.

19 MS. MONAGHAN: We don't have any projects
20 going on.

21 Is that because landfill E is sucking it all
22 up?

23 MR. BERMAN: Yeah.

24 MS. MONAGHAN: So it continues.

25 FACILITATOR KERN: You know, the main reason

1 is in the fourth quarter -- I'm just trying to think.
2 There's Mountain Lake -- I was actually looking at the
3 remainder of these projects.

4 Mountain Lake was kind of -- these last few
5 projects are kind of grouped together as a RAP. It's my
6 RAP5B.

7 MS. MONAGHAN: So 2001 is RAP5.

8 FACILITATOR KERN: 5B. There is no RAP5B
9 according to the Trust yet. That's why I'm getting this
10 out in front of people is to propose this.

11 Some of these sites are like the
12 miscellaneous sites that require remedial action, and they
13 haven't even been investigated yet. There could be a
14 couple of elephants in there that cost some money.

15 So we need to argue about that and maybe even
16 to move those up in the schedule.

17 John.

18 MR. BUDROE: Well, what -- before we go way
19 far away from the Zurich thing, do we have a handle on what
20 knowledge over what the Trust has been putting down for
21 remediation is probably going to be allowable?

22 FACILITATOR KERN: I know that it's being
23 tracked very carefully, but I don't know the answer. I
24 just -- I -- I don't know the answer about what is -- is
25 allowable versus unallowable. I don't have that answer.

1 MR. BUDROE: Because you're talking about
2 having 120 million to spend, but you're going to have to
3 spend a hundred million to get a hundred million of
4 allowable cost itself.

5 The question is could you go through that
6 projected 120 and still be below the hundred million dollar
7 threshold?

8 FACILITATOR KERN: I think I've looked at
9 that and I've assured myself from all the projections.
10 That's why the Trust is backing off -- they're moving their
11 own administrative costs to the Trust general fund
12 anticipating that event.

13 So they've been shifting everything towards
14 allowable costs. So I think we've got that covered. Craig
15 did a lot of work and a lot of carrying of water to get
16 that set up.

17 MR. BERMAN: You know, we fought that
18 argument here in our RAB meetings for a couple of years in
19 the very beginning that the administrative cost was coming
20 out of the hundred million instead of out of the general
21 Trust budget, and I think -- I think when you start looking
22 at the negative outfall here, you realize how important
23 that is.

24 MR. BUDROE: Mm-hmm.

25 FACILITATOR KERN: So I just wanted to get

1 this out in front of you.

2 There are some tweaks to the -- to these
3 things to make them a little bit more instantly
4 understandable.

5 I may work on that before the Summit meeting
6 and quickly I'll give you some updated copies before that
7 at the committee meeting.

8 In the last ten minutes, I just wanted to run
9 through some of the issues with RAP4, and if we can,
10 solicit some input even tonight from the staff that are
11 going to be there and hopefully we can begin the process of
12 having staff talk to their senior management about the
13 agenda.

14 The agenda has gone out. It's basically
15 introducing Eileen. That's really the whole purpose of the
16 Summit meeting.

17 MS. FANELLI: The whole purpose?

18 FACILITATOR KERN: Yes.

19 MS. FANELLI: It might be a quick meeting,
20 then.

21 FACILITATOR KERN: And then after that, we
22 will be going through these various RAPs and we may really
23 end up sticking with RAP4.

24 If we do that, though, we'll miss out on the
25 opportunity of needing to get the planning going for RAP5A

1 and B, and those are big issues, and we may end up needing
2 to at least inform people about what we're doing around
3 Mountain Lake.

4 So with respect to RAP4, the big issues,
5 landfill 10, I think it's okay if I talk about it -- and
6 George mentioned it tonight. There may be additional
7 landfill as has been identified.

8 There will be issues around that that have to
9 do with making it a new site for purposes of insurance, so
10 we'll either have to pay for it or not.

11 There are the issues Bob has had with the --
12 that he mentioned tonight with chromium in the groundwater
13 at the toe of the landfill. We have hopefully some
14 investigation proceeding that will either say that's not a
15 big deal or we have got a big problem.

16 There are -- we've been through -- we made
17 our physical models of the different alternatives, and one
18 big issue from the RAB has been can we have another
19 alternative that's a different cost and a whole different
20 thing, and instead of permeable and impermeable and these
21 different sub shapes, can we just stabilize it? Would that
22 be enough?

23 And that's really trying to anticipate when
24 we go in front of the other community groups, I just know
25 that those folks are going to say, "Well, is that all

1 that -- what else did you investigate?"

2 And so what we've been talking about for a
3 number of years -- it's been in our comments multiple
4 times. We need to resurface an alternative that perhaps
5 was already investigated by the Park Service and the Trust
6 when they were developing these alternatives.

7 Perhaps it's a stabilization like pin piles.
8 Perhaps it's something else that came out.

9 I feel incredibly strongly that if we're
10 going to be able to go to the public and offer them some
11 alternatives, there's got to be another thing for them to
12 look at and say, "Well, that probably won't work, so here's
13 the answer," which is the answer that's out there.

14 So there are multiple issues. We're not in
15 agreement on the remedy yet. There are investigations
16 still going on. We're looking at other alternatives.
17 That's for landfill 10.

18 Landfill 8 -- Bob.

19 MR. BOGGS: Given the recent discoveries
20 that landfill 10's considerably bigger than we originally
21 evaluated, that we're having to go back to the drawing
22 board just to recreate additional investigations at this
23 point, any thoughts of shifting landfill 10 for the sake of
24 keeping RAP4 expedited to RAP5 or 5B?

25 I know it's of incredible importance to the

1 Trust. It involves the Public Health Service Hospital,
2 which they're hoping to lease out, and I think everybody's
3 in alignment of wanting to expedite the site, but again we
4 might facing a situation where we end up slowing down the
5 overall project for one particular site that at the current
6 moment does not look like it's ready to be set up for a
7 RAP.

8 Because we do not know the extent and we're
9 even ready to scratch our heads about that at the current
10 moment.

11 FACILITATOR KERN: Well, I -- my feeling is
12 it's been long put out there by the Trust that they have
13 this big redevelopment thing, and they're going to -- it
14 seems to me they're going to be incredibly motivated given
15 that from my understanding of just today back in the
16 envelope that the new contamination is like right in front
17 of it, right in the parking lot.

18 So it's going to really be up to them. I
19 think they -- I mean, we all know how -- these things take
20 years. It takes years to investigate, and how we're going
21 to do that in a very expedited way, we need to start
22 hearing how that might work, and so if it's going to be
23 shifted to another RAP, that would be the easy way, but the
24 hard way may be how can we all pull together to -- what
25 needs to be accomplished to get it done.

1 MR. BOGGS: Do you think this is a good
2 Summit meeting topic to get into this level of detail or
3 just to leave it on -- of course everybody's -- our
4 managers are going to say, "Oh, yes. We'll work overtime
5 to get RAP4 through the door and we'll all pull together
6 and try to do it like we did with RAP3," but again,
7 landfill 10 has me worried that we're not going down a path
8 of success, that we're setting up some big difficulties for
9 those kinds of goals.

10 FACILITATOR KERN: To respond to that, I
11 would suggest that ahead of the Summit meeting that the
12 staff gets together.

13 MR. ULLENSVANG: We may want to put together
14 a variety of alternatives. Because when you
15 move -- suggest moving it to RAP5, I start looking at
16 what's coming up in RAP5, and I see that 2010's already
17 pretty well full.

18 If we were to move landfill 10 back a year,
19 we would want to move something from 5 forward a year to
20 try to even out the workload.

21 MR. BOGGS: Yeah.

22 MR. ULLENSVANG: Because we can't put
23 everything off till the last day.

24 MR. BOGGS: I agree. I think there are
25 things that could potentially move forward and I think the

1 details are probably, like you said, maybe massaged out on
2 a staff level before proposing them to the upper
3 management.

4 MR. ULLENSVANG: That way there's some true
5 alternatives and the proposal to move it have some outline
6 of ramifications, what the pluses and minuses are.

7 FACILITATOR KERN: Julie.

8 MS. CHEEVER: Actually development of the
9 site is outside of our purview, but I just wanted to
10 mention that supposedly the developers are going to
11 announce more of their plans for the hospital and the
12 landscaping this month.

13 FACILITATOR KERN: Oh, my God.

14 MS. CHEEVER: As you're planning -- at the
15 Richmond general meeting, which is Wednesday, January 23rd.
16 I think that's a Wednesday.

17 And if you would like, I could forward an
18 announcement of the time and place to people if they'd make
19 it, but if the landscaping plan is being developed, it's
20 interesting to see how that fits in with the unfinished
21 plans for landfill 10. But maybe people like George.

22 MR. FORD: It's simple. The landscaping is
23 going to be about six feet up in the high to make room for
24 the cap. I think it's helium involved.

25 MR. YOUNGKIN: I'm not sure how the landfill

1 has expanded in size yet.

2 FACILITATOR KERN: We haven't. I just saw
3 it today on really the back of an envelope.

4 MR. YOUNGKIN: I saw something that came
5 today.

6 MS. CHEEVER: What percent expansion?

7 MR. BERMAN: I asked the question of George
8 and he wouldn't answer.

9 MR. FORD: Well, in terms of -- in plan
10 view, the footprint, if what we found in front of the --
11 which is the south side of the PHSB building is part of
12 landfill 10, and there's a lot of issues here.

13 The Trust may conclude that it is a landfill,
14 but that it's not landfill.

15 I would guess that the footprint is probably
16 expanded 35 or forty percent, anyway, and possibly more
17 than that. It is a significant addition.

18 MR. YOUNGKIN: Sort of a 6B kind of
19 situation?

20 MR. FORD: Well, that idea is being kicked
21 around already perhaps as a way to approach it. At this
22 point, we don't have any of the analyticals back. We don't
23 know if the soil is saturated with dimethyl double dip or
24 whether it's fairly inert.

25 I know from -- you know, when I heard about

1 the test pits, most of it didn't look that bad, but there
2 was rubble in there, and -- you know, so we've learned that
3 when you have building rubble in the fill, it's difficult
4 to generalize what the chemistry of it will be like. You
5 just have to test it and see where the results take you.

6 MR. BOGGS: There was some additional
7 complications that probably everybody's not aware of that
8 the developer did a soils management plan and did some
9 investigation where -- work on their own, and they actually
10 found one right adjacent to the buildings, and they found
11 in the archives reference to an old tin can disposal area,
12 and lo and behold when we tested it, it had lead above the
13 California hazardous waste standard.

14 So similarly then it came up with the
15 question well, is this a new area or not, and now landfill
16 is expanding over near that area.

17 Is it continuous, the same site or is it a
18 different site? That also is going to play into their
19 claims with the Army.

20 So there's -- I think there's a fair amount
21 of questions to be answered; not just from can we get to a
22 remedy quick, but also for how the Trust is going to be
23 able to recover money and pay for what we're potentially
24 finding here, whether we're finding one continuous site,
25 two sites or three sites.

1 It's very possible that when we built the
2 road into the Public Health Service Hospital, they used a
3 dirt fill that was maybe contaminated, but again is very
4 different from landfill 10, but it ends up they brought in
5 contaminated dirt to make that whole flat area apron in
6 front of the hospital.

7 So a lot of those questions just need to be
8 answered, and then the question is can we answer all those
9 questions in the time frame for RAP4?

10 FACILITATOR KERN: Because we're out of time
11 and there's a few -- couple more things to do, it seems
12 like we can do -- via e-mail, we can set up one time.

13 One possibility would be a week from tonight.
14 Not at night, but a week from today would be a meeting
15 date. I don't know if people can do that. Sometimes
16 people are over here on Tuesdays.

17 Or if -- we can do that after the meeting.
18 It might be a way to schedule something like that.

19 Since we have the RAB committee meeting on
20 the 22nd, we could meet a second time to finish up -- you
21 know, it seems like there's going to be a lot to talk
22 about, and then report on what we've done at the RAB
23 committee meeting in terms of trying to pull this RAP4
24 together.

25 Okay. So there's a lot going on for that.

1 There's also RAP5A and B which I can give you more detail
2 as to which site is that, but you can figure it out from
3 this.

4 It begins with fillsite 1, landfill 2, lowest
5 fill, Baker Beach 1A, Baker Beach 2, battery frontal
6 slopes, Merchant fill and landfill E. That's 5A, and 5B is
7 all the rest.

8 Even then, there are major hurdles to getting
9 5A done. There are major controversies within the site.
10 So I want to be able to get to talking about this during
11 the Summit meeting.

12 Let me move the agenda ahead due to the
13 interest of time to the regulatory agencies.

14 Devender or Bob, do you have anything for
15 tonight?

16 MR. NARALA: No.

17 MR. BOGGS: Just that we have again another
18 person coming on the Presidio. Hopefully we'll introduce
19 him at the Summit meeting. He's -- he comes from the site
20 mitigation group, but he's a senior scientist. He's a
21 doctorate, and I've talked with him numerous times over the
22 past few years. He seems very intelligent, very bright.
23 Seems like a very good person. So I'm looking forward to
24 getting him on the project.

25 He just two weeks ago accepted a position in

1 our unit as a senior scientist, and he's basically going to
2 be assigned half-time to the Presidio, and then additional
3 staff upper management will be working on that on an
4 as-needed basis.

5 FACILITATOR KERN: Is there any update, Bob,
6 on the Whole Foods sites? Is that something we know about?

7 MR. BOGGS: There's -- those people are
8 still potentially on the table. They're still working and
9 busy. There's been some reluctance on the management's --
10 on both the Trust and DTSC to really commit that amount and
11 level of resources for considerable period of time.

12 FACILITATOR KERN: Mm-hmm.

13 MR. BOGGS: There are not people that we can
14 just take for a week and then get back or take for a month
15 and get back.

16 So I think most of the details of additional
17 staff beyond Ryan still are to be worked out in the upper
18 management level, but there are potentially those people,
19 but again, it's -- in order to grab somebody from a unit
20 and completely assign them over here is substantial
21 commitment on our behalf, so --

22 FACILITATOR KERN: Nothing Devender?

23 MR. NARALA: No.

24 FACILITATOR KERN: Review of action items,
25 then.

1 We're in prepare for Summit meeting mode.

2 We're getting RAP4 together. I suppose it would be really
3 good to have an update on the schedule with respect to
4 maybe the Baker -- Baker Beach.

5 The RAP3 area B sites. I mean, given they're
6 in the bid process. Maybe in a couple weeks, we might know
7 a little bit more about when those might be done.

8 MR. FORD: Yeah. We should.

9 FACILITATOR KERN: So that's something that
10 we want to stay on top of, because all these sites in 2008
11 we've got decision documents to get that stuff pretty much
12 done except for 207/231, and that site has still got a few
13 things to be worked out.

14 Agenda items. We're going to cover
15 the -- this RAP4 stuff that we've just been talking about.

16 Any new visuals for the Summit meeting, any
17 recommendations people have about the Summit meeting, we'll
18 cover that at our next committee meeting, and Mountain Lake
19 updates.

20 By the end of the month, we should know
21 whether we're going to need to be going to any preliminary
22 meetings and getting ready for February 4th. That will be
23 our last chance to meet and discuss.

24 Are there any other items for the good of the
25 order before we close?

1 MR. YOUNGKIN: What was February 4th?

2 FACILITATOR KERN: February 4th was
3 potential hearing date on Mountain Lake with the
4 supervisor.

5 MR. BERMAN: Just a comment. I think
6 your -- your graph is very interesting and presumably I
7 don't know if Trust staff has seen this prior to this
8 evening.

9 FACILITATOR KERN: They saw it earlier this
10 evening --

11 MR. BERMAN: Right.

12 FACILITATOR KERN: -- before the meeting.

13 MR. BERMAN: So I wonder if an agenda item
14 can be added to the committee meeting is there a response
15 from the Trust on this?

16 This is a -- I mean, it's very nice what
17 you've done here because you've actually sort of looked out
18 to see that there's trouble in the future, and that's
19 really something that the Trust has to gear up to do.

20 And so it would be -- I mean, I don't want to
21 put anyone on the spot tonight, but this is certainly a
22 powerful statement of a problem, and it would be nice if we
23 got some response about it from the Trust.

24 MS. FANELLI: I think that will be
25 forthcoming.

1 One of the first things that I have been
2 asked -- working with George and the team -- is to go
3 through these numbers and to look at these issues, try to
4 identify what the key issues are, what the things that can
5 trip us up and where we might find success and look at
6 alternatives on a wide variety of fronts, including finding
7 additional finding, evaluating things differently.

8 That is going to be one of our first charters
9 that we do.

10 I can't give you any promises in terms of
11 timeline right now. This has been a fabulously educational
12 meeting. I've really appreciated hearing some of the
13 concerns and some of the detailed issues. It's added quite
14 a bit of information to what I had learned so far.

15 There's a lot further to go, but it's a -- I
16 made some notes here of key issues, and one of them is to
17 look at this. It's also to look at the Zurich policy and
18 be able to explain a little bit better once I understand it
19 what that means in terms of the cleanup, and really
20 to -- I think get at some of those alternatives and focus
21 particularly on the issues surrounding landfill 10 and
22 Mountain Lake Park in the short-term, because that seems to
23 be fairly hot or high-level issues for the RAB.

24 That's what I heard. So hopefully I got
25 that. I'm sure I'm missing some of the nuances and

1 details, but --

2 FACILITATOR KERN: Anything -- thanks.

3 Thanks very much, and we really appreciate Eileen coming.

4 She's not even officially signed up yet, but it was a great

5 opportunity to have her here tonight. So thanks very much

6 for --

7 MS. FANELLI: I appreciate it.

8 FACILITATOR KERN: -- spending some time

9 with us.

10 Indeed. So thanks, everyone, for coming out

11 tonight. Thanks for the last comments, Sam, and without

12 objection, meeting adjourned.

13 (The meeting adjourned at 9:13 PM).

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1 STATE OF CALIFORNIA)

2 COUNTY OF SAN FRANCISCO)

3

4 I, the undersigned, hereby certify that the
5 discussion in the foregoing meeting was taken at the time
6 and place therein stated; that the foregoing is a full,
7 true and complete record of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the foregoing
10 meeting and caption named, or in any way interested in
11 the outcome of the cause named in said action.

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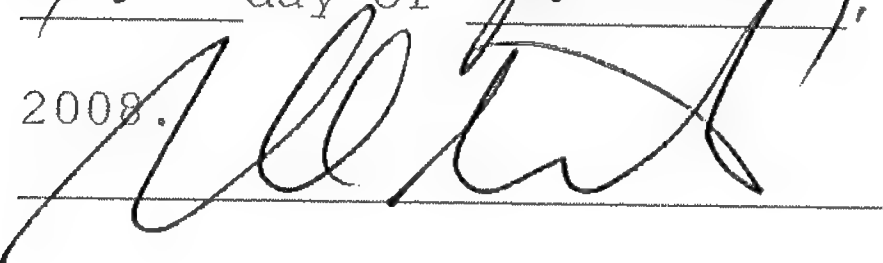
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IN WITNESS WHEREOF, I have
hereunto set my hand this

10th day of January,
2008.


Mark I. Brickman CSR No. 5527

PRESIDIO RESTORATION ADVISORY BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, MARCH 11, 2008

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator

Eileen Fanelli

Brian Ullensvang

Bob Boggs

Ryan Miya

Agnes Farres

Peter O'Hara

Sara Segal

Michelle Passero

Gloria Gee

Jan Monaghan

Julian Hultgren

John Budroe

Edward Callanan

Barbara Newton

Julie Cheever

John Chester

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on March, 2008, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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1 FACILITATOR KERN: Welcome, everyone. This
2 is the regularly scheduled meeting of the Presidio
3 Restoration Advisory Board for March 2008.

4 I'd like to welcome the Presidio Trust, National
5 Park Service, our regulators and RAB members, and we have
6 one member of the audience. Perhaps when we go around the
7 room -- I see a lot of new faces tonight. Perhaps we could
8 have everybody introduce themselves.

9 I'm Doug Kern. I'm a community member. I have
10 been since 1994, and I facilitate the meetings.

11 MS. FANELLI: I'm Eileen Fanelli, the
12 remediation manager for the Presidio Trust.

13 MR. BUDROE: John Budroe, community member,
14 member for about four years.

15 Kevin Whilden, community member. Hopefully a
16 new member.

17 Jan Monaghan, community member fourteen
18 years.

19 I'm Mark Frey, geologist for the community
20 trust.

21 MS. NEWTON: Barbara Newton, community
22 member going on my second year.

23 MS. KRAMER: I'm Toni Kramer, community
24 member going on my second year.

25 MS. FARRES: Agnes Farres. I am the new

1 Water Board manager.

2 MS. SEGAL: Sara Segal, community member.

3 Six years. We should look it up.

4 MR. HULTGREN: I'm Julian Hultgren,

5 community member. Late at usual.

6 MS. PASSERO: Michelle Passero, community

7 member. And I think you're going to be longer, John. I

8 think I'm four years.

9 MR. BUDROE: Four, five. After a while,

10 time just kinds of rolls on.

11 MR. ULLENSVANG: Brian Ullensvang, Park

12 Service. I manage the environmental safety program for

13 GGNRA.

14 MR. BOGGS: I'm Bob Boggs, State Department

15 of Toxics.

16 MR. MIYA: Brian Miya, State Department of

17 Toxics, as well.

18 FACILITATOR KERN: Very good. Welcome to

19 our Water Board member, and Ryan, as well.

20 Will you be coming to the meetings often?

21 MR. MIYA: I think so.

22 FACILITATOR KERN: You're certainly welcome

23 to. We certainly enjoy seeing you.

24 Does everyone have an agenda?

25 I have been asked by some members of the --

1 community members of the RAB to perhaps remind people that
2 there are a lot of things to get done at these meetings and
3 that they're encouraging me to facilitate perhaps a little
4 bit more strongly to move the meetings ahead.

5 I tend not to want to put in a lot of
6 different rules like three minutes to speak, five minutes
7 to speak, so I'm going to just put it back out there that
8 as long as we're able to move the agenda along, I will
9 still be a little bit more hands off, but if I do need to
10 intervene, this is fair warning that I will.

11 Are there any announcements? Or old
12 business?

13 I neglected to ask. Are there any changes or
14 additions to tonight's agenda.

15 Moving to the Planning Committee report that
16 pretty much exactly mirrors our agenda tonight. We'll be
17 reviewing RAP4, the Public Health Service Hospital sites
18 and give an update on Mountain Lake.

19 In particular, at the committee meeting, we
20 did cover quite a bit on RAB meeting management. We spent
21 sometime on that in addition to these two items.

22 So the consensus was Doug, please intervene
23 and move -- move the meeting ahead so that we're able to
24 get done on time and that we cover all of our agenda items.

25 So that is the essence of the Planning

1 Committee report.

2 Anybody else have any other thoughts that --
3 okay.

4 So let us move on to item 5, RAP4 Public
5 Health Service Hospital sites.

6 I think Eileen might start off with this and
7 give us a little bit of an update on this accelerated
8 process. We've been having a series of five or six
9 meetings. We've had a couple out of that series.

10 MS. FANELLI: That's correct. So I don't
11 have slides, but I did bring a board and we can talk from
12 it or to it.

13 Thank you very much for holding it there.

14 So we've had two of our fast-track meetings,
15 and the meetings, the whole process is to get some
16 consensus around the remedies for many of the sites
17 included in RAP4, and those would be landfill 10, landfill
18 8, graded area 9 and two additional sites that have been
19 introduced to you that have been discovered, if you will.

20 One we're calling PHSH fill. It's the area
21 in front of the Public Health Services Hospital, and the
22 other site connector fill, which is really in the
23 foundation material of the front 1950s building of the
24 Public Health Services Hospital that's planned to be
25 demolished and torn down as part of the redevelopment.

1 Our kickoff meeting was Valentine's Day,
2 February 14th, and what we accomplished there was going
3 through the existing data that we had for these sites and
4 trying to vet what the remaining concerns were, and we did
5 several large flip chart size posters where we relayed some
6 of those issues, particularly relative to the fill and to
7 the Public -- the connector fill and the PHS area.

8 Some of the items that came up were clearly
9 with the PHS fill area, really defining that extent,
10 understanding what material was included in there,
11 understanding from the Trust point of view what its
12 relationship, if any, was to landfill 10.

13 Part of what we were concerned with was --
14 with the connector fill was kind of confirming the
15 hypothesis that developer -- I should clarify that the
16 Trust had the developer Forest Cities that is currently in
17 control of the actual building, and so they're working with
18 the group and with the Trust, but they are responsible for
19 the investigations currently within the footprint of the
20 area they're responsible for. So that's mainly the actual
21 building itself.

22 So their hypothesis is that the connector
23 fill -- this is the engineered fill and the foundation
24 underneath the 1950s portion of the building -- was
25 contaminated with lead from past activities.

1 So there were concerns about making sure that
2 that hypothesis was real, what the extent of that
3 contaminated lead backfill might be.

4 Other issues with landfill 10. There were
5 issues about the seismic stability and checking some
6 calculations that had been done I think about two or three
7 years ago in the five-year review, making sure that we're
8 in agreement, characterizing the surface of that landfill.

9 We had some data of the interior, but we
10 really hadn't looked at what is on the ground surface or
11 close to the ground surface along the steep landfill slope,
12 and then we also discussed a little bit about landfill 8.

13 We had some new data that helped us define
14 the boundaries, and I believe that was sort of the majority
15 of the fill issues.

16 We also talked a little bit about confirming
17 some groundwater, making sure that groundwater wasn't
18 affected by the filling activities, in particular for
19 chromium.

20 We were interested in making sure we
21 understood the relationship of the overflow line that comes
22 from Mountain Lake that goes through this portion of the
23 site and connects to the City's sanitary sewer further
24 downstream.

25 That line, as we've talked about, I guess,

1 relative to Mountain Lake is fractured and cracked. So we
2 wanted to understand its relationship to the fill.

3 And then in particular with the lead that's
4 in the connector fill, we wanted to understand if we
5 changed the site sense; i.e. we tear down that building and
6 -- and it's -- if we changed sort of the existing
7 condition, would that change the mobility of any lead
8 that's in that connector?

9 So those were some of the issues that we
10 vetted.

11 We met again on the 5th of March and we had
12 prepared a work plan to address those issues, and so we
13 went through each of the sites.

14 We talked about those issues and we added and
15 tweaked that work plan, and what you can see on here are --
16 you can feel free to look at this at any point after the
17 meeting if you like.

18 In marker, you see some trenches. You see
19 some red X's, green trench marks. These are sampling
20 locations. So these were things that we modified or added
21 to look at.

22 This plan is out for review. I know that
23 Brian and Bob and Doug are actively taking a look at it
24 now. Our plan is to be in the field hopefully next week.
25 We have been planning Monday. We're having a little bit of

1 trouble getting utilities clearance. We might be Tuesday,
2 Wednesday. It might be postponed a couple days so we can
3 get utility clearance before we go out there.

4 And then our plan is to do the investigation,
5 and actually we're going to try to make it a little bit of
6 a field trip. So while we have things open, have folks
7 come out so they can take a look and -- stakeholders come
8 out and take a look, because a picture is worth a thousand
9 words, and everybody can see what it is that this fill
10 looks like, its nature.

11 I guess our next meeting is the 27th -- is
12 that right -- of March? Sort of in between our field
13 program, and what we hope to do there is check well, what
14 have we seen. What do our preliminary results tell us?
15 Are we okay with our field plan? Do we need to do any more
16 tweaking? Add things here and there, take care of that and
17 then get together again in April when everything's done and
18 we have results in, and hopefully at that point, look at
19 that data relative to the remedies, either proposed or that
20 need to be developed for those different areas.

21 So so far so good. A lot of work. I think
22 we're just beginning to get a taste of the level of effort
23 that it is going to take, but everybody's been Johnny on
24 the mark, really. They've been prepared and ready to go.

25 So that's it. I want to make sure if you

1 want to add to that at this point, Brian or Bob or Doug.

2 FACILITATOR KERN: Yes. There are -- there
3 are areas of concern, and Eileen touched on certainly some
4 of the high lead underneath what's called the connector
5 fill. There are plans that I've heard. We've been in the
6 meetings with Forest City. They're the developer. They
7 intend to cover over and create a new grade right where
8 that connector fill is.

9 They've also talked about breaking up the
10 slab under which lies this heavier lead, and we've raised
11 the concern well, would that create a pathway for water to
12 get in there and then leach out lead.

13 So that's being investigated in the -- what's
14 called the PHSH fill area.

15 MS. FANELLI: Right.

16 FACILITATOR KERN: There's also an extended
17 area of thick material which we're not exactly sure what it
18 is yet. It has asphalt components of some kind, and that
19 -- I guess there have been some trenches that have tried to
20 get beneath it. It's very hard. It hasn't been fully
21 penetrated yet.

22 It's in a -- an important location. It's
23 kind of in the headwaters of Lobos Creek.

24 So that's an -- a layer that we're putting
25 some effort in to identify what it is, does it represent a

1 threat to the groundwater.

2 MS. NEWTON: It's a solid structure?

3 MS. FANELLI: It is.

4 MS. NEWTON: Or is it rubble?

5 MS. FANELLI: It appears to be -- we call it
6 an asphalt layer, but it's not asphalt in the sense of the
7 road in that it does not have the -- the larger aggregate.
8 It seems to be a finer sand, and it looks like it was
9 indeed placed and compacted to a certain extent.

10 So the speculation is that it was some type
11 of material that they needed a flat or dry or hard surface
12 and they laid it down at a certain point.

13 It is quite thick. In some areas, I think
14 it's several feet thick, and it has been broken through in
15 a couple of areas.

16 In other areas, it's pretty hard. So one of
17 the things that we're going to do and that was discussed at
18 our last meeting was to make sure that we can get through
19 it in enough places to have a good understanding of really
20 what's underneath it, and we're going to grab some samples
21 of it so we can all take a look at it and -- and make sure
22 we understand it really is an asphalt type material, that
23 it would be like any road material, in addition to looking
24 at the stuff above, which we actually have looked at quite
25 a bit, and we're probably fairly confident that it's rubble

1 much like landfill 10, but we want to be able to get
2 underneath it and just confirm what's there so there are no
3 surprises.

4 MS. SEGAL: I have a question just on
5 connection fill, 1950s. Two questions, actually. Is most
6 of the lead -- is it from construction, lead paints,
7 construction debris, whether it would have been lead-based
8 paints used, and are the levels of lead contamination you
9 find so far any worse or less than other areas in the
10 Presidio where lead-based paints -- or lead contamination
11 has been found?

12 MS. FANELLI: The material -- we don't know
13 the source of the lead, but we do have a theory. There
14 was, as you'd seen on some of the older maps, the tin can
15 dump that was around in the 1920s, and the suspicion is is
16 that was located in the area where the building was built.

17 The suspicion is that the lead -- the tin can
18 dump, if it indeed had lead solder for tin cans, which is
19 likely, caused contamination of the native sands that were
20 underlying it.

21 When they built the connector building, they
22 would have -- the design is the -- the building supported
23 on pulleys that are on bedrock, but they also designed it
24 so that it had a compacted or engineered fill that provide
25 some of the support of the building.

1 The hypothesis or theory is the sand, those
2 native sands are actually a good material to compact and
3 put back; that they took the sand that was in the area of
4 the tin can dump, they screened the tin cans out, so they
5 took out all the debris.

6 There's no debris in this material, but the
7 residual contamination is in sand still and then they
8 compacted that underneath the building.

9 So some of the sampling that we're doing is
10 to look to see if that high lead is kind of ubiquitous, is
11 it limited to a certain layer, if it's all inside the
12 foundation of the existing building, not on the outside,
13 because there really is the same kind of compacted fill on
14 the exterior. It's really on the interior of the building.

15 So those are some of the things we're looking
16 at.

17 The levels are -- I don't have that
18 information, but I'm recollecting 1,500 parts per million
19 lead --

20 FACILITATOR KERN: 2,300.

21 MS. FANELLI: -- in a couple of samples.

22 So a couple of very high samples, and then
23 stuff that's not quite so high, but still high.

24 MS. SEGAL: Thank you.

25 FACILITATOR KERN: So --

1 MR. BOGGS: Outside that layer, the levels
2 are actually quite low, well below your cleanup level. So
3 it really looks like there's a thin layer of the three foot
4 thick layer that's contaminated with several thousand BPMs.

5 Generally a lot of the other samples were
6 below a hundred or generally well below 400.

7 MS. FANELLI: You can see on here the red
8 dots. These are additional sample locations, and you'll
9 have to come up and take a look at it to see the outline of
10 the building, but there are several samples that we're
11 doing within that engineered fill to take a look at it, and
12 several samples on the exterior of the building, just to
13 make sure that we're confident in that hypothesis that it's
14 limited to that inside of the fill.

15 FACILITATOR KERN: And the purpose was to
16 verify that those two high samples that we have, they're
17 maybe -- they could be much higher than that, or as Eileen
18 said. Maybe just to find that it's generally a consistent
19 amount of contamination throughout that surface.

20 Also, the face of the landfill had not really
21 been sampled, and so there are several of those on the far
22 left side sampling the face of the landfill. We get a feel
23 for that.

24 MS. FANELLI: And those will all be hand dug
25 and they're shallow. We're going to try to get to the

1 surface the upper foot and as much as three feet if we can
2 handle.

3 FACILITATOR KERN: I suppose an outstanding
4 question for Bob, do you feel like we're getting closer to
5 the answer about the chromium in the groundwater? Do you
6 have a -- is this plan addressing those things?

7 MR. BOGGS: I think that's an area that --
8 because we did get one additional piece of data, which is
9 basically that it came in at considerably lower
10 concentration, and our boundary -- you know, I'll have a
11 better answer for you in two days, but at this point, I
12 know it's something that we tried to look at.

13 Again, it's just whether what we're doing
14 will answer all the questions or -- versus how much more
15 robust do we have to be and maybe overkill so that we don't
16 have to go back out in the future to get more questions
17 answered.

18 FACILITATOR KERN: Mm-hmm.

19 MS. FANELLI: We didn't describe that scope
20 of work, but we -- but we talked about it at the last
21 meeting, that we do have an engineering firm that's been
22 hired to help us do some of the engineering estimates and
23 look at this from the constructability standpoint.

24 And they do have a geochemical -- geo-
25 chemist on board, and -- who will hopefully work with the

1 information to try to answer some of the direct questions
2 of why there might be elevated chromium in those wells, or
3 if it is elevated compared to some of the background, do
4 some statistical analysis.

5 I know they planned to meet, Bob, with you.
6 I'm not sure if it's scheduled.

7 Have they contacted you or anything at this
8 point?

9 MR. BOGGS: No. They haven't scheduled
10 anything yet, but Forest City did submit today what their
11 additional sampling is going to be in the area, as well.

12 MS. FANELLI: So I can call up and just get
13 a sense of when Forest City will be working with you. It
14 will be presented to the whole group, but we're just trying
15 to keep it going.

16 MR. ULLENSVANG: So the presentation won't
17 be with the other group members?

18 MS. FANELLI: Oh, no. It will be.

19 FACILITATOR KERN: Part of the attention,
20 something that Bob mentions, do you really want to sampling
21 incredibly heavily versus -- and that's much more costly
22 versus trying to do a reasonable job and then just getting
23 more questions, because we didn't sample thoroughly enough.

24 So there's a -- given how quickly this
25 process is trying to move, there's some desire to sample as

1 much as we possibly can in this first shot or in this round
2 to try to answer all the questions.

3 MS. FANELLI: Right.

4 FACILITATOR KERN: That's kind of the goal.

5 Does anybody have any questions or thoughts?

6 I mean, a few months ago, there was not the connector fill,
7 the PHSH fill, the asphalt.

8 So new things are being discovered. There
9 probably will be a few more new things found out, too.

10 MR. CHESTER: Do you know how much greater
11 volume of area from the original estimate of what was
12 there, what it's grown to with these new findings?

13 MS. FANELLI: Actually, I don't. It's a
14 good question. I do not have a total volume estimate for
15 the material.

16 MR. CHESTER: And it's correct, you're still
17 defining -- still defining the boundary you have?

18 MS. FANELLI: Right. We're fairly confident
19 in these limits, but I don't have a depth everywhere to
20 give you a volume.

21 MS. NEWTON: So it's really the depth that's
22 the issue, not the --

23 MS. FANELLI: We are checking lateral
24 extent. You can see some of these green markings to the
25 east. So we are trying to get a good sense of where we

1 have extensive fill, rubble in the fill, debris in the
2 fill.

3 And we are trying to get a sense of the
4 volume based on the old topography. We don't have as much
5 old topographic maps as we'd like to make that estimate,
6 but we hopefully are going to be able to test pits to get to
7 a depth if we can have a good handle on that and expose it.

8 In terms of the sequencing, we did talk, I
9 think, the last couple times -- I did mention that we were
10 bringing in a historian to try to take a look at that.

11 We don't have her work quite yet, but we do
12 have preliminary findings that we shared at our stakeholder
13 group, right, that indicated that likely it goes up close
14 to the homes, but it doesn't go underneath the homes, which
15 is nice, and that PHS fill and landfill 10 probably were
16 laid down fairly close in time.

17 They do like different materials. What was
18 happening in the fill area looks different than what was
19 happening in namely 10, but in terms of purposeful
20 placements and when they both started, it's a little fuzzy
21 still whether or not there's a realtime separation there.

22 There still looks like there's a separation
23 sort of in the material, mainly because of this asphalt
24 layer, really. They were doing something different in that
25 portion of the facility.

1 That was also where their main road came in.
2 So they might have treated that area a little bit -- where
3 14th Avenue came in and does still come in. They might
4 have treated that a little bit differently.

5 FACILITATOR KERN: This remains really very
6 challenging and I think everybody is working well together
7 to try to get this to happen in a short amount of time.

8 So I'm optimistic that with any
9 investigation, you want to make sure, particularly in the
10 location where this is next to Lobos Creek and Mountain
11 Lake. So --

12 MS. PASSERO: I just wanted to double -- I
13 think you said this before, that there was a claim under
14 Zurich for the PSH fill area.

15 MS. FANELLI: Right. Actually we filed a
16 notice of potential claim. There's a couple of steps that
17 we have to go through to file a claim. One is to give them
18 notice, and we've also noticed the Army, as well.

19 And so we've notified both of them of a potential
20 claim. We have to show for the Army and I believe for
21 Zurich, as well, that there is an endangerment, that
22 there's a problem.

23 So that's another piece that we're pulling
24 together that generally lags once we've gotten an
25 assessment completed or preliminary assessment completed.

1 FACILITATOR KERN: So just to refresh on the
2 timeline, we're -- there's a Summit meeting out there in
3 May, I think.

4 MS. FANELLI: May 22nd.

5 FACILITATOR KERN: Right, and the idea is
6 that there would be at least some proposal about what we're
7 going to try to do at this site for that meeting.

8 So that's what this series of meetings that
9 we have between now and May 22nd are designed to do.

10 MS. FANELLI: Get consensus on remedy.

11 And then we can discuss documentation, and
12 that would allow we hope Forest City Development to go
13 through, because there would be some agreement on the
14 remedy and what was going to happen there.

15 Their process is more of a business process
16 at this point. They need to sign what is called a round
17 piece with us. To secure funding, they have to have a good
18 handle or arm around their risks and their costs, and so
19 getting resolution in terms of remedy on the connector fill
20 is important to them.

21 It's not on the agenda, but I do have an
22 update on the RAP3 sites, which sites are proposed to go in
23 what order that came in.

24 You can put your arm down. Thank you very
25 much for holding that.

1 It's not on the agenda, but I think last time
2 I was here, I gave you a preliminary schedule on the RAP3
3 sites. It was one that we had put out in our request for
4 proposal.

5 At that point, the -- we had selected a
6 contractor, Pacific States, but we hadn't received their
7 construction schedule.

8 So I do have that construction schedule. I'm
9 happy to share it with you, but if you're interested, the
10 sites in the order that they're going to be doing them are
11 going to start at the former railroad tracks and move on to
12 the sewer lift station, building 1167; then building 680,
13 662, 669, 663, transfer station and then the Nike facility
14 and swale, and then finally 1351.

15 The contract gives them a year to complete
16 the work. Their schedule shows an aggressive completion
17 date of August '08. I think their need to complete
18 contractually isn't until April '09.

19 So they have a lot of float in here, and
20 I -- to be honest, I'm not familiar with the contract terms
21 and who owns that, whether we own that or they own that,
22 but we'll look into that and see.

23 There's a fair amount of activity, earth
24 moving and cleaning up during the summer months.

25 FACILITATOR KERN: Do you know when they

1 intend to start? Did you say?

2 MS. FANELLI: I can tell you. They are
3 starting to install their fence and privacy screen at the
4 railroad track 3-20. So in a week or so.

5 MR. ULLENSVANG: Have they given two-week
6 notice yet?

7 MS. FANELLI: Two week to?

8 MR. ULLENSVANG: Outside agencies according
9 to --

10 MS. FANELLI: I have no idea. Ryan would
11 know. Ryan Seilbach is the project manager, and I think he
12 might have just gotten this, but we can ask, certainly.

13 FACILITATOR KERN: It would be really good
14 to know from Ryan if we expect any road diversions or
15 closures --

16 MS. FANELLI: Okay.

17 FACILITATOR KERN: -- or anything like that.

18 MS. FANELLI: I can find that out.

19 FACILITATOR KERN: This group is pretty good
20 in talking to other groups to calm the members.

21 MS. SEGAL: Doug? None of the RAP3site are
22 the ones that have any tree removal issues, are they?

23 FACILITATOR KERN: There could be.

24 MR. BOGGS: Nike 1 has trees.

25 MS. FANELLI: There might be. I'm not sure

1 if they're down or they would have to come down. I would
2 imagine they're already down.

3 MR. ULLENSVANG: There may be ones that
4 become in the way that could be damaged as a result.

5 MS. FANELLI: Right.

6 FACILITATOR KERN: All right. Any other
7 questions between RAP3 and RAP4? If we have time later,
8 maybe we can -- if you'd like, revisit RAP5.

9 MS. FANELLI: Sure.

10 FACILITATOR KERN: Thank you. A little bit.

11 MS. FANELLI: Sure.

12 FACILITATOR KERN: Anything you might want
13 to say about that?

14 On to Mountain Lake. About two weeks ago on
15 one day, on Monday the 25th of February, there was a
16 hearing of the Land Use Committee of the Board of
17 Supervisors. Several of us were there, Peter and Julie and
18 Jan Blum and Eileen and Craig Middleton were there, and we
19 had the opportunity to present the situation around
20 Mountain Lake which you're all familiar with.

21 It was a very fine opportunity presented by
22 Supervisor Alioto-Pier, who gave us the chance to do a
23 little Power Point presentation that ran down the major
24 issues, that there was lead contamination at the site and
25 that the agencies were effectively stalemated for a variety

1 of reasons.

2 They asked a number of questions. I think I
3 got to stand up there and attempt to answer those questions
4 for several minutes, and it really put a nice spotlight on
5 the whole situation.

6 There was some publicity. We got in a couple
7 of papers I think after that. It's died down considerably
8 since that. I haven't -- I mean, there was initially some
9 possibility of TV coverage. That hasn't really played out.

10 I think all in all, that that particular
11 hearing did raise a lot of awareness around Mountain Lake,
12 and the Board of Supervisors then went on to create a
13 resolution. The resolution -- I'm not one hundred percent
14 sure whether they passed that resolution or not. There was
15 still some discussion about language as of just a day or so
16 ago.

17 MS. FANELLI: Was it going to the full
18 board? It was going to the full board?

19 FACILITATOR KERN: Right.

20 MS. FANELLI: So it had been calendared.

21 FACILITATOR KERN: I think that's right.

22 I have since asked our representative or
23 legislative aid in Alioto-Pier's office -- her name is
24 Katherine Stephanie. I've told her that RAB community
25 members were very interested in contacting our State

1 Assembly and senators around this issue and encouraging the
2 issue forward.

3 She said that we could talk about that soon,
4 that she would provide us a copy of the resolution as it
5 was completed.

6 So I -- you know, now we're in the kind of
7 keep nudging it forward stage. It's been a fairly organic
8 process.

9 My -- my feeling about it is there were some
10 three months of work leading up to this. Peter and I
11 attended a few meetings. I was able to get in and talk for
12 an hour with Supervisor McGoldrick, and that was quite an
13 interesting hour of conversation. I mean, wide ranging on
14 any number of topics. We're always coming back to Mountain
15 Lake.

16 So here is this unfunded and important
17 project out there. I think we just have to keep nudging it
18 forward, even though we have these other major projects
19 going.

20 So I've been contacted by RAB members saying
21 well, does this really fit in the priority scheme? We need
22 to make sure that we've got our RAP4 stuff at the top, and
23 this is's why you see it in this order now.

24 We've got RAP4 ahead of it, but we've put in a lot
25 of work over the years around Mountain Lake, and we're

1 going to keep pushing this idea, because I think by
2 continuing to have the political measure, that we will
3 encourage the agencies to find money and to resolve the
4 differences that are out there.

5 And so that's my brief summary.

6 Did you have any thoughts about it from the
7 Trust's point of view?

8 MS. FANELLI: The Trust does appreciate the
9 RAB's seeking to find political solution. The Trust would
10 like to resolve the issues there and find a way to
11 remediate that sediment and fix the pipe, and it is helpful
12 actually to have sort of a pressure approach on Caltrans to
13 bring them to the table, because agencies -- we work with
14 each other on multiple levels.

15 Obviously the Trust works with Caltrans on
16 other issues within the park, and so it is helpful to have
17 additional support to push this along further.

18 I thought the hearing was very interesting
19 and went very well. Clearly Caltrans had its hands slapped
20 --

21 FACILITATOR KERN: Yes.

22 MS. FANELLI: -- in the meeting.

23 MS. PASSERO: As an aside, if you want to
24 keep the pressure on, you know -- I want to say April 11th
25 is the budget subcommittee hearing in Sacramento, and so it

1 would be good to have one person from the RAB, maybe one
2 person from Friends of Mountain Lake, maybe another person
3 from People from the Presidio to go meet with the staff
4 people for the state representatives from the area, region
5 and then with -- I can't remember the guy's name now who is
6 the -- the budget subcommittee chair, the staff person for
7 that -- for him, and then probably Laird is the chair of
8 the overall budget committee, and that person, try and line
9 up a few meetings for that day and juts sit down and try to
10 do the same meeting that you did with Alioto-Pier's staff
11 person.

12 Just have two leave-behinds for them that
13 provides the background, facts, what you want and then
14 hopefully this resolution comes through pretty quickly and
15 you also have that, and then you can also suggest then to
16 Katherine to kind of reaffirm what you're saying by also
17 talking to staff people and kind of use that as leverage.

18 You know, what they could do maybe at the
19 very least is just ask Caltrans some questions during this
20 budget subcommittee hearing, you know, and maybe they'd be
21 willing to go beyond that in terms of asking about, you
22 know, dedication of funds.

23 I don't know whether they'd do that or not,
24 but it would at least apply some pressure on them to make
25 them be a little bit more amenable to discussion.

1 I think -- I would say that the sooner you do
2 it the better, because they're actually going to do this
3 for the subcommittee hearing, and they need to make the
4 case for it to legislators and then they need to put it on
5 the agenda, and they're probably going to ask more
6 questions that you may not be able to answer.

7 And so, you know, whether you do it this week
8 or next week, just pick a day. I would get it -- it needs
9 to be done pretty quickly, and do it again with San
10 Francisco supervisors.

11 FACILITATOR KERN: So this week or next week
12 to try to get up to talk.

13 MS. PASSERO: Sometimes you can just stop
14 by, but just because you're driving up there, just set up a
15 meeting.

16 FACILITATOR KERN: Mm-hmm.

17 MR. O'HARA: What do you ask for?

18 FACILITATOR KERN: Well, I think we go
19 through the schpiel of there's the problem and then money.

20 MR. O'HARA: No. I understand that, but in
21 what form? Does it come in the way of a budget line item
22 for Caltrans where they pick up part of the cost of the
23 cleanup and then part of the -- or all of the cost of the
24 diversion.

25 I think we really have to qualify what it is

1 that we want in terms of -- of the -- the projects to be
2 done and then get some sort of an idea of what quantity of
3 dollars you're talking about.

4 But, I mean, you get up there and talk to the
5 staff people and tell them that you've got a problem, but I
6 think you also have to frame the solution.

7 FACILITATOR KERN: Well, the best cost
8 estimates that we have are from the Trust, and I think
9 these are admittedly not end product type of quality.

10 They're mostly negotiating documents, I think
11 the truth be told.

12 MS. FANELLI: They're high level best
13 guesses, kind of worst case scenarios. We can provide some
14 backup, some simple backup, but that's what they would be
15 used for.

16 MS. PASSERO: Well, and I think -- sorry to
17 interrupt you.

18 MS. FANELLI: Sure.

19 MS. PASSERO: But I think having a range of
20 that at a minimum, we want these questions to be asked of
21 Caltrans about their involvement in the Trust and what
22 their level of participation is going to be and actually
23 the cleanup, the remedy and the problem about the continued
24 runoff.

25 And so that's sort of the basic ask, to

1 convince them that these questions should be asked and give
2 them background of all these grants that fell through, and
3 sort of just what kind of appearance of jockeying is going
4 on in using -- holding up those grants sort of for ransom.

5 That's one piece, just how -- you know, how
6 is Caltrans conducting themselves in this whole process.

7 And so they can ask questions that put
8 pressure on them and potentially embarrass them in the
9 situation, and then it might apply some pressure because
10 they know that their budget is at risk, and so -- and they
11 probably have an idea of how far they want to go in asking
12 these questions, but then you can ask -- I think another
13 part -- and maybe this is something that I would do, but
14 looking at the Proposition 84 funds that were -- that might
15 be funneled to Caltrans. Knowing what that number is.

16 Because certainly there's a number that the
17 Presidio wants, and then there's sort of the limitations of
18 the actual dollars that Caltrans has for their various
19 programs that they can use to provide grants.

20 And so that number would be smaller,
21 probably, but knowing that and then knowing the different
22 programs that they have within Caltrans that they can
23 actually funnel money.

24 So that's a possible solution, and it's sort
25 of the solution of so you don't get them to actually take

1 some sort of responsibility, precedent setting
2 responsibility, but it's a way for them to have money go to
3 this project through those grant programs that, you know,
4 may end up being somewhat of a win-win situation.

5 And so I think having those pieces of
6 information to make that recommendation and then the budget
7 subcommittee chair may have some other thoughts.

8 It could be kind of a feedback process, but you
9 can lay those out as possibilities, and then maybe a line
10 item, I don't know, but I think that's probably more
11 difficult to get the money to come from the general fund
12 versus having -- using Proposition 84 dollars as the source
13 of money, because that was money that's been approved
14 already and he's not going to start fighting over general
15 fund dollars.

16 FACILITATOR KERN: It seemed to be where we
17 had our most success was really driving home that there was
18 a problem, there was a stalemate and then we could give the
19 general idea for the numbers, but they're going to probably
20 duke it out around the numbers, anyway.

21 MS. FANELLI: The Trust is welcome to
22 discuss solutions with all parties, Caltrans, Army, all
23 parties, and so certainly how we get there, as long as the
24 parties will actually talk to us, is meaningful -- Caltrans
25 won't talk to us, so if we could actually just get them to

1 the table to talk in a meaningful way, we'd be real open to
2 that.

3 FACILITATOR KERN: John.

4 MR. BUDROE: I would suggest number one, if
5 at all possible, if people are going to go up to the
6 capital and actually try to talk to some of the legislative
7 staff, number one, schedule it in advance if you can at all
8 do it.

9 Number two, try to get -- see if Alioto-
10 Pier's staff has got some ins with knowing how to talk to
11 right there. Because one staffer is not the same from
12 another staffer.

13 I know from being involved with some union
14 attempts to go up and talk to legislators/staffers that the
15 more up-front work that you put into it, the better chance
16 you have of getting in to talk to anybody.

17 Because -- it even comes down to things like
18 what day of the week you go up there, and there are good
19 days to go up there depending on the calendar and there are
20 bad days.

21 You go up there on a bad day and nobody is up
22 there. You just won't find anybody to talk to.

23 So the other thing is -- was it Prop 83 you
24 mentioned?

25 MS. PASSERO: 84.

1 MR. BUDROE: If you're going to talk about
2 money at all, that's really what you want to talk about,
3 because the chances of getting anybody to even remotely
4 consider a line item coming out of the general fund this
5 year is exactly zero. That ain't going to happen.

6 So if there's a dedicated source of special
7 fund money like that, that's an outside possibility. Of
8 course everybody in the world is going to be fighting for
9 that pot of special fund money, too, because that's the
10 place it's going to come from, but that's kind of an early
11 warning.

12 And one of the investigators has already said
13 -- been quoted as anything that's going to need general
14 fund dollars is dead on arrival, so --

15 FACILITATOR KERN: All right. Well, we've
16 got further marching orders.

17 Toni.

18 MS. KRAMER: This may be completely
19 inappropriate, but why not approach one of the local
20 reporters that reports on the parks and the goings on in
21 the City?

22 If you're talking about putting heat on
23 somebody, it seems to me that that would get out to a lot
24 more people than the brief thing on television, and a lot
25 of those people follow it up and write another piece.

1 I think it would give a lot of people in the
2 City an awareness of what the issues were and what was
3 going on.

4 MR. O'HARA: May I say something?

5 FACILITATOR KERN: Sure.

6 MR. O'HARA: That's a good question, and
7 that was the -- that was my first impulse. Call up Matier
8 and Ross and turn on the junkyard dog.

9 I think there is a process, and my sense is
10 that the wheels in that process are turning, and that's
11 your hold card is going to the press.

12 At this point, I think that there's enough
13 goodwill that it's going to be a political solution, and I
14 think that the legislative branch is -- at the local level
15 and the state level is going to provide all the help they
16 can, and if you're going to go through the process by going
17 up to see the legislative staff people and bring this in on
18 an orderly basis, I'd like to see -- I believe that we
19 should let that play out before you use a shotgun approach.

20 MS. KRAMER: Well, also, it doesn't
21 necessarily have to be a shotgun approach. There are other
22 people, like you report on Golden Gate Park and issues
23 there and the neighbors. Just -- there may be more low key
24 approaches, too, to just put the word out without making it
25 into -- certainly if you were interested in having

1 television people, some of the reporters on the paper
2 wouldn't be any more mandatory than some of those people.

3 MR. O'HARA: I think the ball is in play
4 right now. I'm not trying to discourage any of this, and
5 that's not the purpose of my reply. It's -- I think the
6 ball is in play, and the time frames are short enough that
7 you're either going to get satisfaction or you're not, and
8 if you don't get the satisfaction that you're looking for,
9 your fallback is the press, and -- and that would tend to
10 heat things up.

11 The -- the guy who spoke from Caltrans at the
12 hearing, the Land Use Committee hearing knew he got caught
13 with his pants down and he pledged all sorts of cooperation
14 and all sorts of willingness to sit down and discuss the
15 issues and try and reach a resolution of the matter.

16 He was a guy that just couldn't tap dance
17 fast enough, but my sense is that Caltrans is on notice.
18 They've got a problem here and they're probably going to
19 have to resolve it.

20 If you go to the state legislative -- state
21 legislator's aids and lay the bread crumb trail out for
22 them, it ratchets things up a little bit in terms of
23 getting the cooperation of Caltrans.

24 If you experience the repeat of what the
25 Trust, the RAB has experienced over the last five or six

1 years, your fallback position is to -- is to get mean.

2 I think that it's -- it's -- it's a reserve
3 position that you want to take, because if you go to the
4 press and they get all worked up about it and nothing
5 happens, there is no fallback position.

6 FACILITATOR KERN: Barbara.

7 MS. NEWTON: So you said you had a
8 conversation with Jake McGoldrick, who's my supervisor and
9 probably represents the majority of the users of Mountain
10 Lake Park.

11 You talked for a while. What was his take on
12 the whole thing?

13 FACILITATOR KERN: Well, I'm not exactly
14 sure that the City realizes that they may also have some
15 responsibility, in a sense.

16 Mountain Lake Park is under City control and
17 there's a piece of it. Right now they're on our side and
18 big time. So they're -- they're trying to contact the
19 right people.

20 He was certainly very much in our corner
21 during the hearing, and it was a good thing that we had
22 talked to him in advance, because he really peppered the
23 Caltrans guy with -- with questions, as did all the
24 supervisors. He was definitely in the hot seat.

25 So --

1 MS. NEWTON: So he's aware of what's going
2 on.

3 FACILITATOR KERN: Yeah.

4 MS. NEWTON: And seems to care.

5 MS. CHEEVER: The other thing is he kept
6 making mysterious allusions to philanthropy, people that
7 might be sitting in the audience at that very moment. But
8 I don't know what that referred to or whether that's a pipe
9 dream or what.

10 FACILITATOR KERN: He was thinking out loud
11 in the meeting that I had with him that there are various
12 proposals here on the Presidio, and some of them are not
13 necessarily meeting with the greatest public support, and
14 some of those particular proposals are being made by fairly
15 wealthy, deep pocketed people.

16 Some of you may have some idea of what I'm
17 referring to, and so I'm being vague like he was during the
18 meeting, but he was thinking well, if this person so much
19 wanted their pet project -- and if it were appropriately
20 redesigned and maybe he -- oh, he. Maybe that this project
21 could also grease the skids a little bit by helping along a
22 few other projects of which there probably is a very long
23 list here at the Presidio.

24 MR. HULTGREN: You're not making any sense
25 of all this subterfuge. Why don't you just come out and

1 say what you're talking about.

2 FACILITATOR KERN: Don Fisher has a museum
3 proposal here at the Presidio, and that particular museum
4 proposal is not faring very well in the public for a
5 variety of reasons.

6 So he was suggesting well, maybe Don Fisher
7 could kick in some money to help clean up Mountain Lake,
8 and that would help people see clear to have his museum put
9 in place.

10 Then I also added to the list other sites
11 like landfill E and a variety of projects at the Presidio
12 that would need money, if we're going to have to have a
13 museum.

14 Anyway, that was one creative thought that
15 the supervisor had, because he's receiving a huge amount of
16 the critique in his office. Because at least he'll listen
17 versus other people aren't really perceived to listen.

18 MS. NEWTON: Is he getting as much critique
19 about what's going on with Mountain Lake Park, or is the
20 Gap Museum a more popular item?

21 FACILITATOR KERN: That's way out there in
22 the public view. The Mountain Lake Park has only until
23 recently been exposed as a problem.

24 There are a variety of those kinds of
25 possibilities that people are contemplating. I don't know

1 whether any of that's really reasonable. Certainly not for
2 me to bring to anybody's further attention. I don't have
3 any connection.

4 That's the update on Mountain Lake.

5 Do I have -- is there some general consensus
6 around pursuing Michelle's suggestion that we get up there
7 quickly and pursue with all of our various contacts?

8 I could meet with the Mountain Lake
9 subcommittee group to solidify some of those plans.

10 MS. SEGAL: Do you want to see what's
11 happening with the City resolution?

12 FACILITATOR KERN: Oh, yeah. We'll have to
13 check in on that.

14 So I think I will recommend that I'll
15 definitely make contact with the Mountain Lake subcommittee
16 group, see if they want to meet or not. We can exchange
17 e-mails, just put together a plan.

18 Is the general feeling of the group that you
19 will empower us to proceed in the next week or two?

20 And what I'm -- what the plan would be would
21 be to make contact with, as John said, our staff at
22 Alioto-Pier's office who were the appropriate staff in
23 Sacramento that we could contact around this issue, make
24 some appointments, get up there and talk about -- about
25 this issue.

1 MR. HULTGREN: What would we -- what would
2 we talk about as far as this issue is concerned? Funding
3 or the fact that Caltrans has been recalcitrant or what
4 else, you know, or all of it?

5 FACILITATOR KERN: I would imagine that it
6 would be very much an extension of what we've already done.
7 We would tell the same story, get into their offices and
8 tell them there's this lead pesticide contamination going
9 unresolved. The agencies are not able to come together.

10 We've had this other hearing. A resolution
11 is about to be talked about or has been passed and
12 those -- presumably the supervisors would have already
13 contacted the same staff and/or State Assembly, senators on
14 our behalf, and so we would tell them the story and we
15 would have these ideas around how to get Caltrans involved
16 by describing their lack of involvement and some of the
17 possible solutions around -- well, they at least need to
18 come to the table to talk.

19 That's the principal goal, and that beyond
20 that, we're pressuring them to contribute in some way
21 financially to two projects, the cleanup and the diversion
22 of storm water away from Mountain Lake.

23 I mean, that's the essence of the story we've
24 been telling. It's resonating quite well so far with where
25 we've been, and with these Prop 84 funds and the budget

1 committee meetings coming up, there's a place where some
2 funds could potentially be achieved.

3 I think that's the thumbnail sketch of the
4 story.

5 So far, having done it a few times, it comes
6 over pretty well. It seems like it's a project that people
7 want to help us with.

8 John.

9 MR. BUDROE: Technical question. What feeds
10 Mountain Lake primarily?

11 FACILITATOR KERN: There are two arms of it
12 that kind of point out. One generally to the north and one
13 generally to the east and there's -- from the eastern one,
14 it's my understanding it's just a long drainage swale that
15 points to it.

16 So there's definitely groundwater runoff, and
17 my understanding the northern one, there's some springs in
18 there. There's certainly runoff from the golfcourse area,
19 which is all upgradient.

20 Mark, did you have any thoughts about that?

21 MR. FREY: Just -- it's basically
22 groundwater that's sort of a depression in the dunes. It
23 hits some denser soil, so infiltration is low.

24 MR. BUDROE: So storm water runoff isn't a
25 major source of runoff to the lake. If that was removed,

1 it wouldn't cause problems.

2 MR. O'HARA: It's a natural lake.

3 MR. BUDROE: Okay.

4 FACILITATOR KERN: That's just flushing
5 during rain events.

6 Any other thoughts on Mountain Lake?

7 MR. CHESTER: One thought. When you talk
8 about cleanup, are we talking about -- it sounds like
9 there's maybe a need for more site delineation or is it the
10 impression that there's enough data there to understand
11 that when we're asking for more work, it's going to be in
12 consideration of different types of cleanup, whether it's
13 an off-haul and remove.

14 There's still that whole body of work that
15 would need to be -- that would be part of what these funds
16 would go to is characterization and a remedy selection from
17 an array of remedies.

18 FACILITATOR KERN: In those comments, I
19 think there are a lot of really good points. I would say
20 there's enough data -- there's at least three rounds of
21 sampling of the sediment there that's pretty well
22 delineated.

23 There has not been a lot of hard concrete
24 discussion around the specific details of the remedy.

25 Would it be -- pump it out? What kind of

1 dredging would it be, slurry, pump out the slurry, would
2 you use cranes? All that kind of stuff. How would it be
3 dewatered?

4 There have been some reports that suggest
5 that by mixing it all up, the sediment would then not be
6 hazardous waste. It would get mixed enough that the lead
7 would become diluted with other sediment.

8 I'm not convinced that there's been sampling,
9 say, of the shoreline of Mountain Lake. I haven't seen
10 that in these reports. I think that's maybe a data gap
11 where the people are.

12 So around the edges of the lake, perhaps
13 coming from -- we don't know where the pesticides are
14 coming. They could have come from the road. They could
15 have come from the City side. They could have come from
16 the golfcourse.

17 If it's runoff from the golfcourse, you would
18 expect pesticides upgradient from anywhere in the
19 golfcourse across the threshold into the lake. There would
20 be more pesticides.

21 And I don't know that that data gap has been
22 filled. So I think there's some questions from the shore.

23 MR. CHESTER: So part of getting Caltrans to
24 the table, this would be part of the discussion of further
25 -- the next steps in identifying the problem or further

1 delineating the problem.

2 MR. HULTGREN: Is there any possibility of
3 getting those data gaps filled? In other words, having
4 someone -- I suppose the Trust. I'm not sure -- do the
5 research that's necessary to come to some really firm
6 understanding, as firm as they can be.

7 Maybe the firmness has -- it could be the
8 runoff in the golfcourse. It could be this. We're not
9 entirely certain. There's no way to determine, but at
10 least get to that point where as far as we can, we have a
11 firm understanding of what the present situation is, what
12 the history of it was, and more -- most importantly, a firm
13 plan for what we can do, what would be advised to remedy
14 the problem that we have there, and if we can't do one
15 revision -- one speculation, we can -- we can say okay. In
16 the alternative, you can do this.

17 Is there any possibility of getting that
18 done? Because it seems to me that when we go anywhere, if
19 we go to the Trust or go to the Board of Supervisors and we
20 don't have that information, we're talking a bunch of stuff
21 that they can't understand and they're going to come back
22 with us -- to us with a bunch of stuff we can't understand
23 or that's not very specific.

24 You say McGoldrick came back to you. Oh,
25 yeah. It's a big problem. So is it possible to have that

1 done some way?

2 FACILITATOR KERN: Again, I think you raise
3 really good points.

4 There's been discussion around the design
5 part. Exactly what were we going to do. That's been
6 encouraged for sometime, and I think due to the funding
7 situation, there's been a reluctance to spend more money to
8 do that.

9 But it's a very important point. The more
10 understanding that we have, the more that we can answer
11 some of these outstanding questions, the better off we are.

12 So how can we convince -- I mean, maybe you
13 can -- Brian, you might have an opinion. Bob -- I mean,
14 thoughts --

15 MS. FANELLI: The Trust has spent \$800,000
16 or thereabouts on assessment of Mountain Lake, and we are
17 using Army funds, and so it's coming out of our limited
18 pools of moneys to remedy sites, and we don't have
19 agreement from any of the policies that we carry that we
20 can actually get that back.

21 It could be considered just as a cost against
22 our policy that once we get to a hundred million, then we
23 can start recovering, but that doesn't really benefit the
24 program, because that was really an unfunded site, and it
25 would take moneys from other sites.

1 So we'd be basically making a decision up-
2 front to prioritize that over some of our other sites.

3 So at this point, the Trust is reluctant to
4 spend any more money unless we can get some further
5 dialogue and support for answering the questions.

6 In terms of is there contributory multiple
7 sources, yes. We all agree that there is more than one
8 source besides the road, but we also are quite confident
9 the road represents the vast majority of the input into
10 Mountain Lake, and those things would probably be discussed
11 if we could get to the table and talk about a solution to
12 work it out.

13 MR. HULTGREN: But does anybody suggest a
14 solution at this point?

15 MS. FANELLI: I believe there's actually
16 been some discussion looking at what kinds of solution --
17 what to do. Dredging that out, how you would dewater it.
18 How you would haul it away.

19 I think that has been looked, and actually
20 Brian and Bob, you might have looked at some of those
21 documents and have a better idea of the detail.

22 MR. ULLENSVANG: The Trust has had a couple
23 starts at working through the concept of design, but at
24 each of the two times they started up, they stopped.

25 MR. HULTGREN: That's what I mean. We don't

1 have --

2 MS. NEWTON: Why was it stopped?

3 MS. FANELLI: Because we're spending
4 dollars. That's exactly why. Until we can get others to
5 come to the table and talk about sharing those costs and
6 looking at solutions that would be amenable to all of the
7 parties that would be contributing to the solution.

8 MS. CHEEVER: Just to follow up on Julian's
9 question, to what extent was the comprehensive proposal
10 that the Trust submitted to Caltrans that never got funded?
11 What was that a proposed solution? Did that lay out what
12 needed to be done? Because I haven't read it.

13 MS. FANELLI: I don't have the details. I
14 believe it wasn't a full solution.

15 MR. ULLENSVANG: I think it was just that it
16 needed to be dredged.

17 FACILITATOR KERN: Right.

18 MR. ULLENSVANG: But it didn't go through
19 the details where you would put the materials, what type of
20 dredging you would do, and without those details, you
21 really don't have a good firm estimate of the cost.

22 MS. CHEEVER: You didn't put a price tag on
23 it.

24 MS. FANELLI: Oh, I'm sure there was a price
25 tag on it for the proposal.

1 FACILITATOR KERN: It was eight million.

2 MS. CHEEVER: Okay.

3 FACILITATOR KERN: Michelle and Sara.

4 MS. PASSERO: Maybe it's offline to talk to
5 you -- they may want to talk to the Trust a little bit. I
6 know there's issues around that, but maybe if they out
7 reached to the Trust and asked questions.

8 MS. FANELLI: They being?

9 MS. PASSERO: Being legislative staff.

10 MS. FANELLI: We'd be more than happy to
11 talk to them.

12 MS. PASSERO: Having the agency report back
13 to them, so that might be another thing. To ask questions
14 to kind of lay out the issues and push Caltrans to work on
15 this and then report back to them on the success and
16 progress.

17 They're doing that with the Air Resources
18 Board right now. They have an oversight hearing. They can
19 do the same thing with Caltrans.

20 It does buy a little time. There are some
21 questions that aren't totally answered right now, but at
22 least you make the case that there's some issues there on
23 process and funding.

24 Then they can kind of try to expose that and
25 then ask that of Caltrans.

1 FACILITATOR KERN: Sara.

2 MS. SEGAL: I remember from a couple years
3 ago we went to look at Mountain Lake. The problem of the
4 pollution from the cars is still what's happening. There's
5 been no changing of runoff.

6 FACILITATOR KERN: The inputs are still
7 there. We don't have lead in the gas, but we still have
8 pollution and rubber.

9 MS. SEGAL: I also thought there was some
10 talk about not -- that dredging might create more of a
11 problem than not because the dredging would then stir up
12 the sediments at the bottom and create bigger problems, and
13 there was some thought about not dredging.

14 Right?

15 FACILITATOR KERN: I think that gets back to
16 Brian's comment, that the exact way of doing it.

17 I've heard you could use a vacuum thing and
18 it would just --

19 MS. SEGAL: A boat going in the middle. We
20 talked about all that kind of stuff.

21 FACILITATOR KERN: Right. It's not been
22 fully decided.

23 MS. SEGAL: And the other allusion to Jake
24 McGoldrick or something. Would the City then bear
25 responsibility or have to be a partner in participation of

1 costs for the cleanup, then? Is that something that
2 they're not -- did that come up at the hearing or --

3 FACILITATOR KERN: No.

4 MS. SEGAL: No.

5 FACILITATOR KERN: Didn't come up.

6 MS. SEGAL: Never mind. Okay.

7 FACILITATOR KERN: John.

8 MR. BUDROE: From what you've got so far,
9 the level of detail, having gone in and actually talked to
10 legislators and their staffers before, you have more than
11 enough detail at this point to do what you need to do.

12 Because you're not going to get more than ten
13 minutes tops with anybody. Maybe five, and these people
14 are not engineers, scientists. They have zero technical
15 background.

16 They want a broadbrush way out of what the
17 problem is, who's responsible for causing the problem and
18 in general terms what you need to fix it, and that's all
19 you're going to get at that initial meeting.

20 So what you've got on hand will be perfect.

21 FACILITATOR KERN: And I can confirm that
22 from my other staff meetings. We really did not get into
23 the technical stuff. I showed a map, look, this map means
24 contamination, okay, and they just believed that, and it's
25 true, so -- we should probably move on from this subject.

1 If you have any other thoughts, please e-mail
2 me, you know, in the middle of the night, maybe 2:00 in the
3 morning, if something important comes to you.

4 MR. O'HARA: Don't call.

5 FACILITATOR KERN: E-mail is fine.

6 We have generally covered the main agenda
7 items, but I have had a couple of discussions with Eileen
8 about looking beyond RAP4, which is these future RAPs. The
9 number has yet to be determined.

10 That includes some of the major landfills,
11 fillsite 1, landfill 2, some of these big sites being ready
12 to get those accomplished in the right amount of time, and
13 the miscellaneous sites, of which was an original number of
14 580 something and now it's down to a hundred something.

15 Perhaps you might want to talk about any
16 plans you're thinking about for those --

17 MS. FANELLI: Sure. And I've actually
18 talked a little bit with Bob about this earlier today and
19 Ryan.

20 We're -- I've asked a consultant team who has
21 a contract with the Trust, CH2M Hill to work with me, and
22 one of the things that we're looking to do is do a survey
23 of our remaining sites, look at their remedies and then
24 look at the basic information that we have and asking the
25 question is the information we have enough or what else do

1 we need to have or know in order to implement that remedy
2 or check -- check that that remedy is indeed adequate.

3 So we're sort of inventorying the sites that
4 are remaining and the information that's out there on them.
5 We're also looking at the sites that are already done that
6 may not be closed and we're just cleaning up or just some
7 outstanding issues, making sure we understand what those
8 outstanding issues are and what do we need to do to answer
9 those outstanding issues and get closure, and this the
10 third category of sites -- I've got it in my head right now
11 -- are these unknown sites, of which Mountain Lake would be
12 one of them and looking at what we would need.

13 We do have budgets already associated with
14 all of the sites that are on our list, and I've shared
15 those budgets at our last meeting -- not the details, but
16 the total. The detail is in our quarterly financial
17 reports.

18 We want to do a check on those budgets, do a
19 third party engineering check relative to the remedy and to
20 what additional information we're going to have to gather.

21 We then want to revise our schedule and go
22 out and look at our when do we need to be done date to
23 maximize and preserve our rights under our insurance
24 policies and work backwards.

25 What does that mean in terms of getting

1 things done, and I sense that we would likely do a round of
2 further evaluation of our sites before we finally decide
3 what's in RAP5, if there's only a RAP5, if there's a RAP5,
4 6 and 7, what not.

5 So that process is beginning. I did mention
6 it -- we did talk about it at our last Summit. Our hope is
7 to have a preliminary report out at our next Summit meeting
8 about what we've learned about that.

9 I'm hoping to get CH going in the next week
10 or two, and as we are doing that, I'm going to have to
11 again rely on everybody who's already putting in a lot of
12 time and effort on Public Health Services Hospital to spend
13 just a little bit of time beginning to look at -- at the --
14 our -- our sort of rough estimate of where we're at, our
15 stop and let's check our health and see where we're at and
16 see what we need to do to go forward.

17 So we're hoping to have some of the
18 preliminary schedule and preliminary sense of what needs to
19 be done in May for the Summit meeting, and then Bob and I
20 were talking about actually getting that schedule a little
21 bit more firmed up and then submitting that as part of our
22 regulatory requirement under the consent order or consent
23 agreement -- it's not an order. Consent agreement so that
24 that would be posted publicly.

25 Then it will be easier to track ourselves

1 against it and the public can track it once we begin it.

2 So that's where we're at, and I would imagine
3 as -- as we're being successful on Public Health Services
4 Hospital and getting our agreements in place, then we would
5 focus a lot more, okay, on these next steps and what do we
6 need to do.

7 So I hope that I can provide more detail if
8 you want, but I'm actually interested in if Bob and
9 Brian -- we've talked about it. If you have any thoughts
10 on it. That's what we talked about.

11 MR. BOGGS: Not yet.

12 MS. FANELLI: Okay.

13 MR. BOGGS: It would be interesting to see
14 what --

15 MS. CHEEVER: Comes up.

16 MR. BOGGS: -- comes up.

17 I think the miscellaneous sites, working back
18 is definitely something that needs to get moving --

19 MS. FANELLI: Right.

20 MR. BOGGS: -- soon.

21 MR. ULLENSVANG: I hope we can find a way to
22 not let them go and write the report without having a fair
23 amount of dialogue.

24 MS. FANELLI: To be honest, there's no
25 report that comes out of the process with them. What comes

1 out of the process with them is the schedule, that then
2 gets turned over back to us to use, and the hope is that
3 the schedule will actually have in it the costs for the
4 remedies, the program costs as a resource. It could be
5 allocated.

6 Then we can actually move things around and
7 see what that does to cash flow. It will allow us to do
8 what if analysis, so we can look at the impacts of
9 accelerating or decelerating certain tasks, and then -- and
10 interpret that relative to our financial position where we
11 are with existing funds, where we are with our insurance
12 claims and recoveries, et cetera.

13 So hopefully it will have a couple of
14 purposes. One, it will be plan for us to move ahead, so
15 we'll use it as project control so we'll know what we're
16 doing and we're all on the same page, but it will also be a
17 -- we can use it for predictions and looking at the impacts
18 and changes or shifts in our program.

19 FACILITATOR KERN: Jan.

20 MS. MONAGHAN: Can you tell why we picked
21 this firm to do this work? I don't remember them working
22 on the Presidio that much.

23 MS. FANELLI: They have worked on the
24 Presidio. I went to a firm that hadn't actually been
25 working recently because I wanted to get third party

1 engineering review of some of our existing work.

2 So I didn't want to go to somebody who was
3 actually creating documents. I kind of wanted fresh eyes
4 on it. So that was actually one of the motivations.

5 They have worked -- I believe they worked on
6 landfill E a little bit --

7 MR. ULLENSVANG: Mm-hmm.

8 MS. FANELLI: -- and others.

9 But it's been a while. They haven't been out
10 recently.

11 They're also accessible. I was looking at
12 who I could get too quickly given our existing indefinite
13 quantify, indefinite delivery IQID orders.

14 FACILITATOR KERN: Well, I really want to
15 encourage this process, particularly with respect to the
16 miscellaneous sites of which again started out
17 approximately 600, it's being whittled down to about a
18 hundred.

19 That's going to take some major effort to
20 make sure that we don't have five or six sites that maybe
21 are two or three million apiece and we just never got to
22 them in time in order to put them to the insurance policy.
23 That's just -- that would be really bad.

24 So we just -- I really want to get behind
25 this project that can begin to sort out what the universe

1 of all the things we need to do is and in my head, it's by
2 the end of 2012 to give us a buffer year of 2013, and then
3 there's not -- it's by May of 2014, so you're not going to
4 get much done then.

5 So we've got between now and the end of 2012
6 really to get this stuff done.

7 MS. FANELLI: As long as you guys don't get
8 too tired, I'll keep dragging you through it, right?

9 We do have a lot to do. I'm not making light
10 of it, but I think that -- that's why we need a really
11 clear plan and we need to be very clear on questions that
12 we're asking and we need to evaluate to a large extent our
13 comfort level with information, because we're going to be
14 -- have to be making some decisions that are value based,
15 and then in terms of priorities and then we're going to
16 have to also make decisions that are technical based on our
17 best judgment, putting our minds together to make sure that
18 we are meeting as close as we can our intent of protecting
19 human health and the environment as we go forward.

20 FACILITATOR KERN: Any other questions
21 around that? It's just a brief overview of what's to come.

22 Moving to item number 6, Bob.

23 Anything from your --

24 MR. BOGGS: Well, I just wanted to introduce
25 Ryan. He came from site mitigation. He's initially going

1 to be helping out with the lead-based paint sites.

2 Also, as we get started on construction of
3 some of the RAP3 sites starting in a week or two, he'll be
4 getting some field work experience and learning the
5 Presidio more that way and however else we can keep his
6 time focused on the Presidio and not other sites.

7 FACILITATOR KERN: Can you tell us a little
8 bit about your technical professional background?

9 MR. MIYA: Sure. Sure. I came to the
10 department as a product of the California public
11 educational system. I got a few degrees from various UCs,
12 kind of moved up the coast. Started at UCI, got an
13 undergraduate degree in ecology; UCLA, Master's in science,
14 and got to Cal and actually have science degrees.

15 I'm able to interface quite well with soil
16 and I'm fortunate to use my education on that basis, but I
17 have been working with the department for seven years now
18 and have quite a lot of experience working with smaller
19 sites, but I'm very excited because I've seen the meetings
20 that I've been at and am very pleased with the
21 collaboration and interaction and the relationships that
22 have been built up over time already, and I want to try to
23 continue working within the existing framework to see and
24 learn about the vast amount of information that the folks
25 have.

1 But I'm trying to get up to speed as much as
2 I can, but it's quite a lot, as you can all appreciate and
3 understand, but -- so yeah. That's where I've been and
4 where I'd like to go.

5 FACILITATOR KERN: Thanks very much.
6 Agnes, anything from you as you begin this
7 long process?

8 MS. FARRES: Right. So as I said, I'm
9 replacing Devender as the new Water Board project manager,
10 and I've had a bit of a setback because I broke my leg a
11 couple months ago and I was supposed to transition on to
12 this project in January and I've had to take some time off
13 from work to recover.

14 So now that I'm back, I'm trying to get up to
15 speed and -- yeah. I've been meeting with Eileen and some
16 of the other folks from the Trust who work on the petroleum
17 program and, yeah, looking forward to working with everyone
18 and learning from all of you and since you've all been here
19 much longer than I have.

20 FACILITATOR KERN: Thank you, and welcome.
21 Is there any new business?

22 Action items. We're going to be meeting soon
23 with -- on March 27th with regard to field work review, so
24 several of us need to get our comments in if we have them
25 about the work plan on RAP4, that is.

1 I think there's going to be some trenching at
2 the Public Health Service Hospital next week. It may be
3 delayed from Monday to Tuesday or Wednesday.

4 Mountain Lake, there's a large amount of
5 activity to continue to pursue, calling and making
6 arrangements. I'll certainly contact the Mountain Lake
7 subcommittee about those plans.

8 MS. FANELLI: I think I'm supposed to get
9 back on RAP3 and get some details on what not. So I'll try
10 to get that and have Ryan get that out, and since I hear,
11 Ryan, you're going to be looking at that, why don't I just
12 pass this schedule on to you and you can get a sense of
13 when the field work's supposed to begin.

14 FACILITATOR KERN: You already have work to
15 do.

16 MS. SEGAL: Was there also something like a
17 two-week notice requirement?

18 MS. FANELLI: Right. I'll follow up on that
19 and the work plan that we're supposed to notify DTSC and
20 Regional Board and --

21 MR. ULLENSVANG: Park Service.

22 MS. FANELLI: And Park Service, yeah. So
23 we did have our kickoff meeting, but I don't think --

24 MR. ULLENSVANG: He didn't have a date.

25 MS. FANELLI: He didn't have a start date.

1 MR. ULLENSVANG: This is the first I've
2 heard.

3 FACILITATOR KERN: If you have agenda items
4 for the committee meeting, please get them to us. That's
5 going to be March 25th, I think.

6 MS. SEGAL: Yep.

7 FACILITATOR KERN: Yep. March 25th.

8 MS. NEWTON: I have a request for the next
9 meeting. Not necessarily the committee meeting. Could we
10 get an update of just a summary of all of the projects in
11 RAP4, where they stand? So that -- because I know we've
12 talked about them --

13 MS. FANELLI: Yeah.

14 MS. NEWTON: -- at every meeting.

15 MS. FANELLI: Was it David that couldn't
16 make it? He had a comment at the planning meeting to have
17 a cheat sheet table.

18 MR. ULLENSVANG: Similar to RAP3.

19 MS. FANELLI: And I noted that in my notes
20 today and I was like okay.

21 MS. NEWTON: Not a timeline. Just a summary
22 of all.

23 MS. FANELLI: Right.

24 MS. NEWTON: Where they stand. The
25 samplings you're doing and there's more than one site

1 and --

2 MS. FANELLI: Right. So I guess we can get
3 a table that will have sites. There's -- besides the
4 Public Health Services Hospital, there's small arms firing
5 ranges. So what the remedy is, where we are.

6 MS. NEWTON: Where we are.

7 MS. FANELLI: What we're doing.

8 FACILITATOR KERN: Jan.

9 MS. MONAGHAN: If we're going to be doing
10 RAP3 from now until August, it would be nice to get a
11 monthly status report of where we are at the RAB meeting
12 with pictures, if there's active field work that's worth
13 looking at or something.

14 That seems like that's pretty fast.

15 MS. NEWTON: Yeah.

16 FACILITATOR KERN: Well -- and sometimes
17 what happens when we begin the field work, we encounter
18 issues.

19 MS. MONAGHAN: Really?

20 FACILITATOR KERN: Nearly every time. We
21 have.

22 MS. MONAGHAN: We haven't missed one yet,
23 have we?

24 FACILITATOR KERN: So that is a good idea.

25 MS. FANELLI: One of the things that we've

1 started to do -- and the first one is coming up March
2 25th -- is trying to standardize our project status
3 meetings, so that it's easy for all the stakeholders to get
4 together.

5 It's going to happen on the second and
6 fourth Tuesday really to coincide with the RAB meetings,
7 and the first one's the 25th and we'll establish the agenda
8 the week in advance.

9 So the sites that are actually -- have so
10 much to talk about, we'll talk about, and if something's
11 dormant or things haven't changed, it may not be on the
12 agenda for that time, but that is something that we're
13 doing to try to, again, streamline communications and keep
14 more focus.

15 FACILITATOR KERN: We --

16 MS. FANELLI: But we can give an update at
17 the next meeting on the RAP3 progress.

18 FACILITATOR KERN: I think in addition to
19 what Jan's suggesting about the actual field work, some
20 sort of tracking of budget versus actual expense to -- that
21 might be good since there's a dozen sites.

22 MS. FANELLI: Mm-hmm.

23 FACILITATOR KERN: All right. Any items for
24 the good of the order before we close tonight?

25 Then thanks to everyone for coming out.

1 Without objection, meeting adjourned.

2 (The meeting concluded at 8:41 PM) .

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1 STATE OF CALIFORNIA)

2 COUNTY OF SAN FRANCISCO)

3
4 I, the undersigned, herby certify that the discussion
5 in the foregoing meeting was taken at the time and place therein
6 stated; that the foregoing is a full, true and complete record
7 of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the foregoing meeting
10 and caption named, or in any way interested inthe outcome of the
11 cause named in said action.

12 IN WITNESS WHEREOF I have
13 hereunto set my hand this
14 17th day of March,
15 2008.

16 
17 MARK I. BRICKMAN CSR 5527
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PRESIDIO RESTORATION ADVISORY BOARD MEETING

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, APRIL 8, 2008

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator

Eileen Fanelli

Mark Youngkin

Brian Ullensvang

Bob Boggs

Agnes Farres

Julian Hultgren

Gloria Gee

Jan Blum

Sam Berman

Jan Monaghan

John Budroe

Michelle Passero

John Chester

Barbara Newton

Toni Kramer

Kevin Whilden

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on April 8, 2008, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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1 FACILITATOR KERN: Welcome, everyone to the
2 Presidio Restoration Advisory Board for April 2008. Just
3 as a note, the Presidio Restoration Advisory Board began in
4 April, this month, so we're celebrating the completion of
5 our 14th year. We began in 1994, and so we're starting
6 year fifteen tonight.

7 So congratulations to everyone who has been
8 here every day of those now fourteen complete years and
9 everyone that's been along for the ride.

10 I'd like to welcome the Presidio Trust and
11 the National Park Service, the Department of Toxic
12 Substances Control and the Regional Water Quality Control
13 Board. thanks for coming tonight, and so our community
14 RAB members.

15 Are there any changes or additions to
16 tonight's agenda?

17 It has been recommended -- we have Brian
18 Seelbach here tonight from the Presidio Trust staff. He's
19 going to give an update -- he needs to leave early, and
20 we're checking in about item 4. The committee business
21 session lasts too long, so I think we'll just stick with
22 the current agenda.

23 Are there any announcements or old business?

24 Seeing none, we'll move on to item 4 and the
25 committee report with Mark.

1 MR. YOUNGKIN: We had our Planning Committee
2 meeting on March 25th, the fourth Tuesday. Started off
3 with George Ford attending, and had sort of like a little
4 going away party for him, I guess.

5 We brought some food and some drink, and
6 George has taken a job with AIS Construction.

7 Has he started already?

8 MS. FANELLI: I think he started this week.

9 MR. YOUNGKIN: So George Ford is no longer
10 with us.

11 Then we had a brief discussion of sustainable
12 energy, the use of bio diesel and trucking for soil
13 disposal and sort of issues around using sustainability at
14 the Presidio on environmental projects and stuff like that.

15 We had a request for a site location map with
16 all the RAP4 sites on it.

17 MS. FANELLI: And if you look at the table,
18 please go pick up -- there is a site map that has actually
19 all the sites on it. There is a table of RAP3 sites
20 summary that Ryan will be speaking to, and there's a larger
21 table with all of the RAP4 sites.

22 MR. YOUNGKIN: Great. Thank you.

23 And then Doug Kern gave us a summary of RAP3
24 sites and setups and cleanups, firing ranges and additional
25 sampling through the times of examination.

1 We spent quite a bit of time talking about
2 Mountain Lake. There was a site walk on Saturday, and I
3 guess we'll talk about that more tonight.

4 FACILITATOR KERN: Yeah.

5 MR. YOUNGKIN: There was discussion of next
6 steps to approach the Mountain Lake issue, Sacramento
7 legislature's time frame for stuff like that.

8 And then we -- we unanimously voted to
9 present Kevin Whilden to the full membership tonight for a
10 vote on membership.

11 I guess that sort of segues right into that.

12 FACILITATOR KERN: That was a nice segue.

13 MR. YOUNGKIN: Kevin is here tonight and the
14 Membership Committee has voted to present him for
15 membership, and so if Kevin would like to say a few words
16 before we take up his vote, feel free.

17 MR. WHILDEN: Did I tell you how great the
18 RAB is? Does that help?

19 MR. YOUNGKIN: Brief.

20 MR. WHILDEN: I would like to say that I'm
21 quite impressed the RAB has been around for fourteen years.
22 Really that's much more dedicated than I thought.

23 People are cleaning up a small place, but
24 philosophically I think the idea of spending so much time
25 and effort cleaning up a piece of planet that we live

1 around is quite admirable, and I think that's a great
2 story.

3 We should get the story out there more, that
4 the Presidio has been a place that's maybe an example of
5 how we can take pollution and clean it up and turn it into
6 something that people can enjoy, and my background is in
7 climate change and geology, and climate change is kind of
8 driving a lot of the environmental policy in the world now,
9 and I think that's an interesting connection with the
10 cleanup of the toxics as well as making this place a more
11 livable environment for the people that live here.

12 It would be fun to explore how that might be
13 connected in the future.

14 MR. YOUNGKIN: Kevin's been coming to
15 meetings for a while, so he knows what he's getting in to.

16 FACILITATOR KERN: And he hasn't left yet

17 MR. YOUNGKIN: And he hasn't left.

18 MR. WHILDEN: That's right.

19 MR. YOUNGKIN: Where do you live, Kevin?

20 MR. WHILDEN: I live on Portola Street. I
21 hear there's a creek being restored there hopefully soon.

22 FACILITATOR KERN: There is indeed.

23 MR. YOUNGKIN: Anybody have any questions
24 for Kevin? Do I hear a motion?

25 FACILITATOR KERN: If I hear a motion, that

1 would be great. Is there a motion to --

2 MS. MONAGHAN: I'll make a motion.

3 FACILITATOR KERN: Jan.

4 MS. MONAGHAN: If you don't mind my voice,
5 I'd like to vote Kevin into the RAB.

6 MS. BLUM: I second.

7 FACILITATOR KERN: Is there any discussion?
8 All in favor, please say aye. Opposed?

9 (The vote was unanimous).

10 FACILITATOR KERN: Welcome.

11 MR. WHILDEN: All right. Thank you very
12 much.

13 MR. WHILDEN: I was hoping to get some tough
14 questions, but --

15 MS. NEWTON: The final quiz.

16 MR. YOUNGKIN: And we have a packet of
17 information we usually give --

18 MS. MONAGHAN: I already gave it to him last
19 time.

20 MS. PASSERO: Did you tell him about the new
21 members who bring snacks and beverages for a year?

22 FACILITATOR KERN: The initiation right.

23 MS. BLUM: Kevin, did you say that you work
24 for PUC, also?

25 MR. WHILDEN: No, I don't. When I was in

1 Oregon -- I moved down here about a year ago. I worked for
2 a company called Energy Trust, which was a very leading
3 energy efficiency and developer.

4 They have some great ideas on how to get --
5 improve the efficiency of residential houses and commercial
6 industries, and I think that would be a neat thing for the
7 Presidio, as well, is energy saving.

8 But my current job, I work for a company
9 called Climos, which is a start-up doing high-tech climate
10 change work.

11 We're developing biological sequestration of
12 carbon dioxide, and the area that we do it is a little
13 controversial. It's in the ocean, and we do iron
14 fertilization. It turns out that the ocean is the largest
15 sink for carbon in the planet.

16 Eighty percent of all the carbon in the world
17 is in the deep ocean. It's all going to get there
18 eventually, what humans are emitting now.

19 You can actually speed up the process, like
20 going to areas of the ocean, like the Arctic, the growth of
21 phytoplankton is fed by iron, and we have scientists and
22 oceanographers who are looking at this problem seriously to
23 add to the solution of climate change.

24 It's a really interesting job and I'd like to
25 tell you all about it if you're interested.

1 FACILITATOR KERN: I think we all are
2 interested. We really want to welcome you on the board.
3 Hopefully even tonight when we hear a little bit more the
4 RAP3 coming up, you can start talking about your ideas for
5 more sustainable --

6 MR. WHILDEN: Great.

7 FACILITATOR KERN: -- activities, cleanup
8 process.

9 Welcome, again.

10 Let's move on to our next topic with the RAP3
11 construction update. I'll pass it to --

12 MS. FANELLI: Okay. I don't know if you all
13 know Ryan, but Ryan is the one who's heading up the RAP3
14 implementation program. So the actual remediation of the
15 remaining twelve sites.

16 MR. SEELBACH: Mm-hmm.

17 MS. FANELLI: We handed you out a table that
18 summarizes that. Ryan's going to go through it and has
19 some pictures to show you, and then there is a map here
20 that shows you the locations.

21 This map is a general overview of the main
22 sites. I'm sure that there are smaller miscellaneous sites
23 that are not on here, but it does give you a good feel for
24 all of the work done to date, where the sites are that Ryan
25 is going to talk about, and the RAP4 sites which we can

1 cover later if you'd like to.

2 With that, I'll turn it over to Ryan.

3 FACILITATOR KERN: Thanks very much for
4 being so responsive to the RAB request for these things.

5 MS. FANELLI: No problem.

6 MR. SEELBACH: Okay. The last time I was
7 here, we were doing some tree removals. I don't know if
8 you guys remember, but that was at the Nike site.

9 We had to remove like sixty trees, mostly
10 eucalyptus to make way for our cleanup, which was going to
11 be later this summer at the Nike site, and then also at
12 another site, we had to remove a couple of cypress. That's
13 all completed, and it went really well.

14 It happened in about two weeks, we cut all
15 the trees down. We had a really good contractor come and
16 do that.

17 Now the other site, we've got about five or
18 six sites going right now where we've got excavation. This
19 first site is -- is on this table, 1167, and you might want
20 to just refresh yourself, but what was in that building.
21 It used to be used by the Army formally for painting,
22 staining and furniture shop.

23 So we were -- we're doing this excavation to
24 remove contaminants associated with that. We believe there
25 are some metals that have got into the soil, and we've

1 excavated down in this photo about five feet just to get an
2 idea of the fill, and what what's supporting the building,
3 this corner of the building that's going to be right up
4 next to the edge of the excavation.

5 So we're -- we're just getting started there
6 and we're hoping to get this finished a couple -- in about
7 two weeks, a week or so, and then collect our confirmation
8 samples and see if we've got all the contamination out.

9 Here's the sewer lift station. You can see
10 that in the middle of the photograph. It was believed that
11 the sewer lift station had several overflows and the soils
12 downslope of that sewer lift station were impacted.

13 We -- we think primarily with metals based on
14 some sampling in that area. So in this photo, you can see
15 there's some excavation. It's pretty hard to say. It's
16 about a foot deep. Very shallow.

17 We went around and collected or confirmation
18 samples. We're finding that there's a lot of lead, a lot
19 of zinc, a lot of metals still at a depth of one foot.

20 So we're proposing to do additional
21 excavation there, and we haven't -- we haven't figured
22 exactly how much we're going to do, but we're kind of
23 planning our next move there.

24 And if you guys have any questions, just jump
25 in and stop me. I'm just going to keep walking through

1 these sites.

2 MR. BERMAN: Back to 1167, at the paint
3 shop, you might think that there might be some hexachrome
4 there, and I was wondering whether any of that has been
5 found around there.

6 MR. SEELBACH: We didn't find it. In the
7 area, there's some borings on the -- on the side of the
8 building where we're doing the excavation, and, you know, I
9 don't even know if we sampled for -- Brian right now.

10 MR. ULLENSVANG: We tested for hexachrome.

11 MR. SEELBACH: We haven't found the high
12 chromium.

13 MS. FANELLI: The current metal contains
14 arsenic on this site.

15 MR. BERMAN: Yeah. That's been mentioned,
16 but so often in paint shops, chromium was used.

17 MR. SEELBACH: Sure.

18 MR. BERMAN: -- especially by the Army
19 because of its weatherproof capabilities and, of course,
20 chrome 6 is such a carcinogen.

21 MR. ULLENSVANG: And I think hexachrome is
22 green as a pigment.

23 MR. BERMAN: Yeah.

24 MR. ULLENSVANG: It works for the Army.

25 MR. BOGGS: Actually, I thought it was

1 yellow.

2 MR. ULLENSVANG: It was chrome 3 that was
3 yellow.

4 MR. BOGGS: All I know is I managed a
5 hazardous waste facility, and we had groundwater that was
6 extremely yellow that we pumped up and it was from
7 chromium.

8 MR. ULLENSVANG: I stand corrected.

9 MR. BOGGS: Could be both.

10 MR. CHESTER: Could be that tennis ball,
11 green and yellow depending on --

12 MR. BOGGS: Actually the Army just mixed it
13 with blue and got their green.

14 MR. CHESTER: Optical.

15 MR. SEELBACH: So this excavation is a
16 former coal storage bin area, and it was -- it's been
17 proposed to dig the top one foot of soil out to remove
18 potential contamination related to the railroad tracks and
19 backfill it with -- I'm sorry. The railroad track and the
20 coal storage bin area. They're kind of one site.

21 To put back in clean soil that we know is
22 clean. It will create a cap for pedestrians and human
23 health as well as workers will be notified if they go below
24 one foot that there is potential contamination, mostly
25 petroleum products beneath the one foot.

1 So that -- this is the excavation. It was
2 done by hand, and we limited digging around the trees in an
3 attempt to save the trees.

4 What we're going to do now is sample soils on
5 each side -- these are New Zealand Christmas trees and
6 they're very mature, and the Trust didn't want to remove
7 them.

8 So we're going to collect samples on either
9 side of the trees to make sure that shallow soil is clean,
10 and then we're going to replant, put grass back in, resod
11 the lawn. That data's still pending.

12 This is the second excavation for the coal
13 storage bin area, and it's behind the Crissy Field Center.

14 This is five feet in the middle there. You
15 can see the groundwater table is probably about four feet,
16 four and a half feet.

17 There's a couple of utilities, and it's up
18 against another underground storage tank excavation that
19 was backfilled. You can kind of see the pea gravel or
20 gravel on the far side of the excavation.

21 And we're -- we're essentially done with this
22 excavation and we're going to collect the samples for
23 metals and PAHs and just to confirm it's clean, but we
24 don't have a whole lot of room to dig in there, and I think
25 we've accomplished our goals at this point, but -- any

1 questions there?

2 MR. CHESTER: When you do your sidewall
3 sampling, when you do your confirmation, do you have a
4 ratio of samples to volume that -- I imagine maybe you guys
5 -- are you on an agreed upon number of samples?

6 MR. BOGGS: Yeah. It's actually specified
7 in the RAP. It's different depending on the size of the
8 site. They've generally take one sample per sidewall.

9 If the sidewall is bigger than -- it's five
10 feet, they take one sidewall sample. If it's ten feet,
11 they take two, that sort of deal. One on each side and a
12 bottom sample.

13 Similarly, if they have to do step-out
14 excavation, you'd have the same sort of strategy set up,
15 and of course always if you're bounded by a clean sample,
16 you stop there.

17 MR. CHESTER: And they're discrete samples,
18 not composites?

19 MR. BOGGS: Correct. Now they may do
20 composites for waste disposal characterization like the
21 stockpiles for landfill requirements, but for determining
22 the site is clean, it's discrete samples.

23 MR. CHESTER: So for all the -- all the
24 sites, you guys have -- it's not an issue anymore in terms
25 of how they go about doing their confirmation sampling?

1 MR. BOGGS: Part of what's required in the
2 RAP is they determine their confirmation sample locations
3 in consultation with DTSC and the Park Service, at least
4 for area A sites for the Park Service.

5 So generally there's been very good work
6 together on the confirmation sampling.

7 MS. FANELLI: I think there's -- depending
8 on the square footage on the bottom, if it's a big
9 excavation, there's a certain number of samples per area.
10 So it's not just one depending on your size. It could be
11 multiple --

12 MR. BOGGS: Right.

13 MS. FANELLI: -- based on that square
14 footage.

15 MR. BOGGS: We set up a perimeter, and
16 there's a perimeter, one for every fifty feet around the
17 perimeter of the site.

18 MR. CHESTER: So the approach is
19 consistent --

20 MR. BOGGS: Pretty much.

21 MR. CHESTER: -- based on this area of
22 exposed sidewall or floor throughout the whole Presidio?

23 MR. BOGGS: There is some variation. If
24 it's a very large site, the dig is a bigger grid.

25 MS. BLUM: Since the numbers of these sites

1 are so -- well, just across the street from the Crissy
2 Marsh, can you briefly address how much monitoring of what
3 relative monitoring is being done in the marsh to see if
4 some of these toxic materials are going into the water
5 there.

6 MR. SEELBACH: The Trust won't be doing any
7 monitoring for these individual sites. There's no
8 groundwater issue that's been picked up here. It's mostly
9 soil.

10 MS. BLUM: Even though it's four feet.

11 MR. SEELBACH: There's groundwater there.

12 MS. FANELLI: There's no contaminants above
13 the criteria that we use in that area. So there isn't the
14 monitoring of -- groundwater monitoring element associated
15 with these sites.

16 There is for the petroleum sites for the most
17 part.

18 FACILITATOR KERN: I think the metals tend
19 to not dissolve into the -- into the groundwater and then
20 flow away from the site like, say, a big solvent spill or
21 if gasoline were to flow with the groundwater.

22 MS. BLUM: Okay.

23 MR. BOGGS: It's the same thing for the coal
24 contaminants, too. It's -- you know, there's what they
25 call PAHs in there, and they're very immobile --

1 MS. BLUM: Okay.

2 MR. BOGGS: -- and don't solubilize in
3 water.

4 MR. SEELBACH: And this is the same
5 excavation, about -- at about three and a half feet, we had
6 an archeologist out on-site and he had asked that we stop
7 digging and that he wanted to take a closer look at some of
8 the material.

9 So we had the excavator remove some more soil
10 which got him into the quartermaster reach deposits, and
11 the dump there, the quartermaster reach's dump -- the
12 quartermaster's dump has what you'd find in a dump.

13 It's got municipal waste, like -- we found
14 shoe leather, glass plates, some bones, people just eating
15 them.

16 MS. FANELLI: Animal bones, not human bones.
17 Just wanted to clarify.

18 MR. SEELBACH: But anyway, this is a metric
19 sample, something I had never seen done before. The
20 archeologist comes out and makes a really nice -- it looks
21 like a grave hole to kind of characterize the volume of
22 artifacts within a certain volume of soil or the number of
23 artifacts.

24 So he's character -- determining the density
25 of artifacts in the soil, and so this took him about a day,

1 and then we went in and finished the excavation. I thought
2 I'd show you that.

3 MS. NEWTON: What was the density of
4 artifacts in the soil after that.

5 MR. SEELBACH: No -- you know, I didn't get
6 that information from him. I think they're going to put
7 that into a little report or something.

8 MS. NEWTON: Okay.

9 MR. SEELBACH: Yes.

10 MR. BUDROE: What determines whether they're
11 archeological deposits or just plain old junk.

12 MR. SEELBACH: Right. They knew what they
13 were going to find in this area, potential -- the
14 quartermaster's dump is in this area. They know it's
15 there, and I don't think it's what was important in there.

16 It's just the fact that it was there and they
17 wanted to see how much of it's there.

18 MR. YOUNGKIN: The age.

19 MR. SEELBACH: They're characterizing it.

20 MR. YOUNGKIN: It's old.

21 MR. SEELBACH: There was nothing of value to
22 them. They just wanted to say, "Okay. This is a -- you
23 know, part of the dump. Let's characterize what" -- what's
24 found here is probably similar to what we're going to find
25 everywhere else, so --

1 MR. BOGGS: And --

2 MS. FANELLI: I know -- I'm just speaking
3 from past projects that I've worked on. Archeologists tend
4 to have a variety of criteria that's based on region and
5 placement, as well as items, as well.

6 They were probably characterizing and not
7 necessarily expecting to find a silver nugget or something
8 like that in the garbage, but be able to just document what
9 was there as part of the overall documentation and the
10 historical value of the area.

11 We could certainly ask. If we get any more
12 information, we'll bring it back. I'm sure there's a whole
13 bunch of interesting archaeological reports.

14 MR. ULLENSVANG: The quartermaster's dump is
15 a very interesting area and very historically significant.
16 It is the junk that is the value here.

17 MR. BOGGS: There's actually guidelines
18 under the National Historic Preservation Act that they go
19 through. There's also the State Historic Preservation
20 officer who we went through an exercise with so the Trust
21 could have authorization for compliance based on their
22 historians, et cetera and fill the State Historic
23 Preservation officer's requirements.

24 There's actually a whole process that they go
25 through. Something just has to be old to be historic, but

1 then they determine whether it's significant or not, and
2 there's professionals to do that.

3 MR. SEELBACH: Okay. 680, this is a
4 building that was transfer -- transformer station,
5 transformer building. The excavation was to remove PAHs.

6 MR. ULLENSVANG: PCBs.

7 MR. SEELBACH: I was just using it as I was
8 reading it. There's a variety of depth that we're digging
9 to. Right where you're digging there, there's a utility
10 and we're kind of digging slowly around some underground
11 high voltage lines, but at this point, the excavation as of
12 yesterday was quite shallow, and once we're finished, we'll
13 be collecting confirmation samples again and waiting for
14 the results.

15 Here's an excavation. This was actually
16 taken this morning. It's right up against the Cowboy
17 Stables, building 662. The door there to the left is one
18 of two doors that goes into the stables, which at that
19 point used to be used as an auto shop, and there was an
20 underground storage tank which the Army removed in the area
21 where this guy's digging out some soil with a shovel.

22 It looks like he's getting hit in the head by
23 the bucket, but he's actually not, and we just this morning
24 also found two containers of oil that the Army missed when
25 they removed the tank.

1 So, you know, here we're just coming in to
2 remove one foot of soil on the top, which we believe has
3 some metals and petroleum products in it, but we've also
4 now found some stuff the Army missed.

5 So I think it's -- it's kind of a nice thing
6 to see that we didn't miss it and we're going to remove
7 basically two drums full of oil that are still full.

8 MS. NEWTON: They were underground, Ryan?

9 MS. SEELBACH: They were sitting -- if you
10 can imagine those two people, in front of them, between the
11 excavator and the two -- two gentlemen standing there.

12 MS. FANELLI: To correct your table, we have
13 both write-ups under your former coal storage bin area. So
14 the issue with the cobbles under a portion of the
15 excavation should be associated with building 662. A
16 little typo, but we'll get it fixed next time.

17 MR. SEELBACH: Oh, I see.

18 MS. MONAGHAN: So Ryan, could I ask a
19 question?

20 MR. SEELBACH: Yeah.

21 MS. MONAGHAN: Is there a relationship --
22 the first one, 1167, you said there's 120 cubic feet of
23 soil -- cubic yards to be removed.

24 Can I take that as a relationship of how much
25 soil is to be removed as to how long the project is going

1 to be.

2 MR. SEELBACH: You know, these guys move
3 soil pretty fast. So we have an excavation size. If it's
4 typically pretty easy for these guys to come in and dig,
5 they bring a small piece of equipment out to remove a small
6 amount of soil, and when there's a big hole, they bring a
7 big piece of equipment. Generally they move it very
8 quickly.

9 I'm sorry. Which site were you looking at?

10 MS. MONAGHAN: I was looking at the site you
11 were just talking about, and that's a really small amount.

12 MR. SEELBACH: Right.

13 MS. MONAGHAN: But the one we just talked
14 about before, the transformer building is 140 cubic yards.

15 MR. SEELBACH: The transfer station or the
16 building 680?

17 MS. MONAGHAN: 680.

18 MR. SEELBACH: 140, yes. How they're
19 digging that out is they're using a bigger piece of
20 equipment and they bring in a truck so that they can just
21 take the soil right out of the ground and put it in the
22 truck, and the truck is moving it to another stockpile.

23 MS. MONAGHAN: So it's not being removed
24 from the Presidio yet.

25 MR. SEELBACH: No. They have to profile it

1 for disposal.

2 FACILITATOR KERN: Ryan, I'm sure I asked
3 you this months ago, but when you look at this 662 and it's
4 got like ten cubic yards and it costs 335,000 versus
5 something --.

6 MR. SEELBACH: That's --

7 FACILITATOR KERN: I think that showed up
8 before. We always kind of scratched our heads as to why,
9 and when you look at the site, it doesn't look like
10 it's -- should cost that much, but maybe it would be good
11 to -- if we could track what the total amounts were.

12 MR. SEELBACH: Oh, we definitely will, and
13 these are costs that came out of RAP3.

14 FACILITATOR KERN: Right.

15 MR. SEELBACH: So once we -- you know, we
16 don't know the cost yet, but once we get the cost, we can
17 put them next to that --

18 FACILITATOR KERN: That would be great.

19 MR. SEELBACH: -- column and compare.

20 MS. FANELLI: Definitely. Cost tracking has
21 taken on kind of a new meaning in our group, as Doug is
22 pretty much aware of now.

23 So we can update these and I guess our next
24 quarterly when we do that, update all the sites that we
25 have to date.

1 MR. ULLENSVANG: How were the bid amounts
2 compared to these estimates.

3 MR. SEELBACH: Well, these estimates include
4 the consultant bids, as well. Consultants gave us a price
5 to do, you know, a lot of work, as well.

6 MS. FANELLI: There's 1.3 million on
7 construction. All combined, 1.3 on construction. About
8 800,000 on sampling and oversight. Very high ratio,
9 unusual if you're in construction, but it's because of the
10 sampling, and then about a half a million in analytics
11 alone for the confirmation samples.

12 MR. SEELBACH: So about three million.

13 MS. FANELLI: That's about how it came out.
14 But the contractor's moving much quicker, so I don't know
15 if that will -- we'll see a difference. That could adjust
16 some of those costs.

17 MR. SEELBACH: Excavation costs, backfill
18 costs. Those are all coming in.

19 MS. FANELLI: Okay.

20 MR. SEELBACH: That's it.

21 MS. FANELLI: Give them an update on this.
22 It's not a RAP3 site.

23 MR. SEELBACH: If there's any other
24 questions on RAP3, I'll give you a quick update on the
25 building 1065 implementation. I stuck that in.

1 MS. MONAGHAN: I have a couple other
2 questions.

3 MR. SEELBACH: Sure.

4 MS. MONAGHAN: We got a copy of this
5 schedule. So I'm trying to figure out how these two things
6 relate to each other.

7 MR. SEELBACH: Okay. That schedule that you
8 got last --

9 MS. MONAGHAN: Two weeks ago.

10 MR. SEELBACH: That is the contractor's
11 three-week look-ahead schedule. So what he's telling you
12 for the next three weeks, and it's a nice tool for me to
13 see -- for planning tools.

14 This week, the contractor decided that
15 there's not enough work to continue, so he's going to take
16 a week off, which is really good for us.

17 We -- we kind of have to figure out what
18 we're doing next and get our samples results back and make
19 our next move.

20 So I didn't supply you with another three-
21 week look-ahead schedule, but in terms of how it connects
22 with this, it -- I mean, it has the schedule for each site.

23 MS. MONAGHAN: He's got site 10, and I don't
24 know what site 10 is. It's not called the same thing.

25 MR. SEELBACH: I have a different map where

1 we -- our consultant used numbers as well as names on the
2 maps.

3 MS. MONAGHAN: Okay.

4 MR. SEELBACH: And then on that schedule,
5 the contractor just picked up the numbers and left off
6 names.

7 MS. FANELLI: We can try to fix that problem
8 in the future.

9 MR. SEELBACH: Yeah.

10 MS. FANELLI: They're not aligned, but we
11 weren't actually trying to, but maybe you can tell her what
12 sites we're trying to go ahead on.

13 We got some confirmation samples, and then
14 next steps would be likely to go --

15 MR. ULLENSVANG: I think the contractor is
16 going to continue to use the numbers. You might just
17 provide the key.

18 MR. SEELBACH: That's what I thought this
19 map was. I didn't realize we were using this map.

20 MS. FANELLI: This is just a map of all
21 sites.

22 We can just put a key on this table for next
23 time. All right?

24 MS. MONAGHAN: That's fine.

25 What I was trying to figure out -- because he

1 was mobilizing in so many places -- what the traffic was
2 going to be like in terms of traffic and equipment being
3 moved around the Presidio, because there were so many
4 places in such a short time frame.

5 MR. SEELBACH: Right. One thing we've asked
6 the contractor to do is only use one excavation crew.

7 So, you know -- it's just the one crew
8 working at one place at a time.

9 MS. MONAGHAN: Okay.

10 MR. SEELBACH: There isn't really much
11 traffic. Other guys are kind of moving in and around and
12 trucks going in and out.

13 I don't know if you know what a ten-wheeler
14 looks like. It's just a small dump truck and you'll see
15 those moving soil around the Presidio, around the sites we
16 started.

17 MS. MONAGHAN: But it's all going to a
18 staging place and will be removed after.

19 MR. SEELBACH: Right.

20 MS. MONAGHAN: On these schedules, are they
21 doing fencing and privacy screens at every site?

22 MR. SEELBACH: Yeah. That privacy screen is
23 that green --

24 MS. MONAGHAN: Yeah.

25 MR. SEELBACH: It's up at all the sites.

1 MS. MONAGHAN: Thank you.

2 MR. SEELBACH: Sure.

3 Okay. I just thought I'd bring in this
4 picture, and it shows the area that we removed soil down to
5 about seven to eight feet where we had contamination. I
6 don't know how familiar you guys are with this site.

7 MS. FANELLI: It's a petroleum site. You
8 can see the map -- you can see the site on the map, I
9 believe.

10 MR. SEELBACH: I just wanted to show you
11 that we're basically done with the work out at 1063.

12 MS. FANELLI: It says this site is the
13 building located at the building 1065 area, which is where
14 my thumb is on your map, and it is a petroleum site where
15 we had done some remediation outside the building at
16 108 -- 1065, and then you chased out -- Ryan and his
17 contractors did a fairly amazing job of putting in new
18 temporary foundation to support this building where all of
19 these posts are, excavating as deep as eight plus feet
20 within the building and then backfilling up.

21 MR. BERMAN: And no buried oil.

22 MR. SEELBACH: No. We didn't find any
23 surprises.

24 MS. FANELLI: This is the building that is
25 going to be the recycled water facility ultimately for the

1 Trust.

2 MR. WHILDEN: And that is what type of water
3 facility?

4 MS. FANELLI: Membrane bioreactor in
5 association with an MBR plant. It's not scheduled for
6 construction yet, because there's some funding issues.

7 But the plan is to take a portion of the
8 effluent as it leaves the Presidio to the San Francisco
9 system, treat it and then use it for irrigation, and there
10 is a fair amount of purple pipe irrigation pipe that's been
11 laid at different locations in the Presidio. No recycled
12 water yet, and that's it.

13 MR. WHILDEN: What fraction of the total
14 effluent of the City do you think you'll be capturing?

15 MS. FANELLI: I don't have an answer for
16 that, but I could find out.

17 Do you know?

18 MR. ULLENSVANG: I don't know.

19 MR. BERMAN: Well, you know what the
20 capacity of the treatment plant is; right?

21 MR. ULLENSVANG: I don't, but I'm sure the
22 Trust -- somebody at the Trust knows.

23 MR. SEELBACH: Well, all our -- all our
24 sanitary water is pre-treated.

25 MR. BERMAN: But the treatment plant will

1 have -- you can estimate.

2 MS. FANELLI: I don't know its capacity and
3 I don't know what the percentage of the total outflow is.
4 We can find out. We'll make a note.

5 FACILITATOR KERN: Thanks, Ryan, for coming
6 in.

7 MS. MONAGHAN: Thank you.

8 MS. FANELLI: If you don't mind, I'll take a
9 few minutes just to mention the other table, because I
10 believe this was asked for, and Mark, I don't know. If we
11 have any extra copies, if you will hold on to them for the
12 other RAB members.

13 These are the sites in RAP4 that are -- thank
14 you, Ryan -- that are currently under evaluation and we
15 plan to put them into RAP4, and the ones that we have been
16 discussing -- and Doug's been participating on
17 these -- are the landfill 10, PSH fill, connected fill,
18 landfill 8 and try to make some decisions and get some
19 consensus, and answer some questions that we haven't
20 answered.

21 And lastly in our last project status
22 meeting, we went over the firing ranges. These are all
23 small arms firing ranges and will likely require some
24 remediation, and those include the CHP range, which is
25 close to the bridge and machine gun butt and two other,

1 Lobos Creek, protected range and target butt, and I don't
2 believe that we're doing any further action at those.

3 They've been characterized and we go forward
4 and there's no further action at this point, and the other
5 ones, we're still doing some additional sampling.

6 I think that's that decision whether it's no
7 further action or what we do to change, but there's some
8 additional evaluation, testing that will happen.

9 So that's just a summary table. I'll be
10 honest. She left it for me, bless her heart, and I didn't
11 really review it before I brought it here. So if there's
12 any questions, I'd be happy to take them now or next week
13 and get you an update.

14 MS. NEWTON: Thank you for doing that, and I
15 asked for that, and that's pretty much exactly what I
16 wanted, just a summary.

17 FACILITATOR KERN: So we're having a meeting
18 on this topic on Thursday --

19 MS. FANELLI: That's correct

20 FACILITATOR KERN: -- to cover what's
21 happened over the last week or -- I think that's when we
22 had our last meeting. Two weeks ago.

23 And the big thing that we're waiting on are
24 the soil characterization.

25 Many, many points have been sampled of this

1 fill, like active fill, the PSHH fill. So we're going to
2 get those results back.

3 I guess we have some groundwater data. We
4 haven't really talked about it a lot in these team
5 meetings. So hopefully we'll be talking about that data,
6 as well.

7 MS. FANELLI: That is calendared to be
8 talked about, as well as -- besides chemical analytical,
9 characterizing the extent and the nature of the fill, we
10 are looking at groundwater.

11 We are looking at seismic stability issues of
12 the debris that's deposited in landfill 10, and we are also
13 looking at its relationship relative to the water line, the
14 overflow pipeline of Mountain Lake.

15 So I think those are the big issues, and I
16 know that landfill 8's final disposition in terms of what a
17 cover -- I don't think there's a lot of questions about
18 chemical analytical data, but there are a lot of questions
19 on what the final cover will look like, and in particular
20 relationship to the former merchant mariner's cemetery, and
21 so that is going to be talked about.

22 As a matter of fact, I was talking to the
23 designer for the memorial and he will be able to talk to us
24 at one of our meetings, and he's available to come -- if
25 you think it's -- if you'd like him to come to a RAB

1 meeting, the next RAB meeting and talk.

2 FACILITATOR KERN: Back in 1994, the Army
3 was going through this process of their record of decision
4 which involved landfill 8 and 10. It's one of the first
5 things that the RAB commented on.

6 So I think it would be really great to have
7 that person come to this meeting.

8 MS. FANELLI: His name is Chandler and I'm
9 spacing his last name right now, but we talked about it.
10 So I'll see if I can't make sure that he'll come.

11 MS. BLUM: Is he a member of the Trust?

12 MS. FANELLI: Yes. We are.

13 MR. BERMAN: What is dieldrin?

14 MS. FANELLI: A pesticide.

15 MR. BERMAN: A pesticide.

16 FACILITATOR KERN: Are you waiting for --

17 MS. FANELLI: No. I was going to shut it
18 off. I don't know if this is supposed to cool down or not.

19 FACILITATOR KERN: So we've had an update on
20 RAP3.

21 RAP4 is heavily in discussion. We spent a
22 little over five hours today in a group meeting covering
23 some of these sites. Namely 207/231, we spent a fair
24 amount of time on. Building 1065 that Ryan talked about.
25 RAP4 and the PHS.

1 We had a nice review of historical data,
2 historic maps going back to 18 --

3 MS. FANELLI: Our first base topo map is
4 1871, I believe, but I believe we started with 1928 today.

5 Did we -- 1928?

6 MR. ULLENSVANG: I think so.

7 FACILITATOR KERN: So these maps, topo maps
8 through the years were looked at by the historian and
9 traced and scaled up, so we could see the progression of
10 the filling at landfill 10, and it was fascinating to see
11 the Army's -- or the Merchant Marine Hospital moving that
12 material out, and in the early days, it was really -- it
13 seemed like it was much more an open valley towards Lobos
14 Creek and then it really got stapled up and closed in over
15 by the creek.

16 Also, there was no 15th Avenue entrance to
17 the Presidio, and that was actually a low lying area that
18 was still part of the creek and probably the headwater
19 springs right at that -- that area.

20 So there's been considerable amount of
21 filling done.

22 So all these chemical results should come
23 back and we'll bring all that to you and talk about it.

24 The next item, 5B is the Mountain Lake walk-
25 around report.

1 MR. BERMAN: Could I ask one -- just one
2 question --

3 FACILITATOR KERN: Please.

4 MR. BERMAN: -- before we leave the two
5 RAPs?

6 What was the coal used for?

7 MS. FANELLI: Brian, I'm sure it was
8 heating.

9 MR. ULLENSVANG: I assume it was heating. I
10 don't really know. But I assume it was heating.

11 MS. FANELLI: They had boilers. They ran
12 steam for different things.

13 MR. YOUNGKIN: For the trains.

14 FACILITATOR KERN: Power the trains.

15 MR. BERMAN: I thought that pretty much all
16 the heating was done by fuel oil. That's what all the fuel
17 lines were for.

18 MR. ULLENSVANG: That's what they were, but
19 I think there was a system before the fuel oil system was
20 put in.

21 MS. FANELLI: Was there a bunker fuel oil
22 ever used?

23 MR. ULLENSVANG: Yeah. That was what the
24 effluence --

25 MS. FANELLI: That doesn't usually flow

1 unless it's heated. Maybe they had a system to get it warm
2 so it was more pumpable.

3 MR. ULLENSVANG: We never found that system.

4 MS. FANELLI: That was a hundred percent
5 speculation on my part.

6 MR. ULLENSVANG: I assumed that F-gas was
7 used for fuel before the other was put in. I don't really
8 know.

9 MR. BERMAN: These coal pits are not very
10 big. That was shown, right? So you couldn't really do
11 very much in the way of heating.

12 MR. ULLENSVANG: I'm not sure that we
13 actually saw the historic configuration.

14 MR. BERMAN: Mm-hmm.

15 MR. ULLENSVANG: We know that there was a
16 bin area, and we've since found that there's coal scattered
17 over quite a large area.

18 Whether the coal was moved around as part of
19 grading and filling, I think that's speculative, but, you
20 know, the pits that you saw were individual areas where
21 they were going after something particular and don't
22 represent the actual storage bins themselves, and I -- I
23 don't recall whether we saw it during the process if anyone
24 had found maps of the original configuration of storage or
25 not.

1 MR. BERMAN: Isn't it -- I mean, just to
2 understand this, if you're -- the residual COCs from the
3 coal presumably would be distributed all through the area
4 where the coal was stored, or is there some particular
5 reason to think that there would be a concentration in this
6 small volume that was shown by --

7 MR. BOGGS: I can answer part of that. Part
8 of that where they're removing the small volumes like
9 around the trees is because those are areas where people
10 could be exposed to it.

11 The truth is we're going to have a land use
12 control for that entire area because it does appear to be
13 spread under the commissary. We found evidence of coal
14 showing up in other places.

15 And so you're right. It's not that we've
16 mapped the area where this is the coal storage bin and
17 we're cleaning up the coal storage. No, this was just
18 places that were accessible and there was potentials for
19 exposure.

20 So we were minimizing those while recognizing
21 that it didn't spill, and until the entire area's cleaned
22 up, there's going to be a land use deed restriction
23 essentially on that property.

24 So yeah, we're not getting it all. Not at
25 all.

1 MR. BERMAN: Does that restriction affect
2 any of the future proposed uses?

3 MR. BOGGS: Only to the extent that the
4 proposed uses have to clean up that property that they use
5 to meet the land use requirements.

6 MS. FANELLI: So at this point, it does meet
7 the recreational standard as long as it's capped and paved
8 and things are done above ground.

9 If it was changed to a marsh, then that would
10 be a whole different ball of wax and there would have to be
11 a lot of stuff that would have to be changed.

12 MR. BERMAN: Thank you.

13 FACILITATOR KERN: Mountain Lake. You've
14 been kept up to speed on what's been happening.

15 Mountain Lake walk-around was on March 29th.
16 On March 28th, we had a call from Supervisor Alioto-Pier's
17 office. She needed to reschedule, so we gave the tour one
18 day earlier to her. We did the tour on the 28th and the
19 29th.

20 The result of that, I think, was a good
21 communication to her about what the issues were. She was
22 already pretty familiar with them and she was a user of the
23 park, but now she got to look at it from a different
24 perspective and get all the way around the backside of the
25 lake and see areas where there might be staging areas for

1 dewatering of the sediments.

2 Just talked in general about what it might
3 look like, and we had the opportunity to talk to her about
4 who we might go to in Sacramento to engage in discussion.

5 She generally mentioned Fiona Ma as somebody
6 that we might talk to.

7 And then after hearing that, talked to some
8 of the RAB colleagues trying to understand the local
9 politics, of which there turns out to be much local
10 politics, and I think I sent that around to everybody, what
11 I had learned about that.

12 So we haven't done that, and what we have
13 done is do just a little bit more exploration of what may
14 be possible.

15 I can admit to you that it's been a little
16 bit of a groping in the dark kind of exercise for me
17 knowing where to spend the finite amount of resources to
18 try to get something done that would be effective.

19 So I've been talking to Michelle today and we
20 have a little bit of a game plan for tomorrow.

21 There is a meeting on Friday of the Budget
22 Committee, and we're going to give it an effort. I'm going
23 to make some calls tomorrow and try to see if I can get
24 some people interested in the subject, at least, to see
25 whether at least some questions might be asked at this

1 meeting of the Caltrans people when they come to it to get
2 their -- their budget.

3 It's really basically going to be cold
4 calling, updating staff about what's happening with this
5 project, let them know who we've talked to locally, let
6 them know how many years this has been going on and see if
7 we might pop up to ask the Caltrans people questions.

8 But it's going to be exploratory. I don't
9 really know exactly what's going to happen. We just got to
10 try to move the process a little bit at a time down the
11 road.

12 Michelle, did you have anything you might
13 throw into this?

14 MS. PASSERO: No. That was good, and if
15 they can't do it because it's Friday, maybe there can
16 be -- if there's another hearing or informational hearing,
17 they might be willing to consider it, yeah.

18 MR. BERMAN: Doug, I take it that the
19 discussions with Alioto-Pier was that she was not going to
20 take any leading role in this at all and sort of side-
21 stepping it in saying that "you ought to get a hold of Miss
22 Ma and have her be your contact with the State agency"?

23 FACILITATOR KERN: I don't know if I would
24 say exactly that. When we talked to her about this at the
25 walk-around on Friday, she -- we reminded her that she had

1 said in the meeting "I want to get everybody together and
2 have this meeting." She said, "Yeah, I really want to do
3 that."

4 It's just among the great mix of all the
5 things she's doing how to have her make that happen. Since
6 she really in many ways doesn't have any jurisdiction --

7 MR. BERMAN: Right.

8 FACILITATOR KERN: -- except she's a
9 supervisor for this particular area.

10 So where I do think we could help her is if
11 we got with the Trust and the Park Service and -- and just
12 tried to get most of the meeting arranged and try to
13 get -- you know, her staff will be very supportive.

14 I know they've made contacts with Caltrans,
15 basically tried to do most of the groundwork for her and
16 really encouraged that to -- I mean, most of this has been
17 generated by our own energy and I think that's the way it
18 would have to continue.

19 So it's kind of all out there for us to do.

20 MR. BERMAN: Yeah, but that's kind of an
21 enormous task. She suggesting Ma means to me that she
22 knows someone in Ma's office or knows her personally, and
23 it would seem to me that it would make it a lot easier for
24 you if she would open that door for you.

25 She doesn't have to do anything more, but if

1 you called Ma's office yourself, that's going to take --
2 that's going to be a really tough road to hoe, because
3 you're not going to get to anybody easily, especially with
4 the time schedules that you're facing.

5 And so it would almost seem worthwhile to
6 call her back and say, "Look, will you try to set up an
7 appointment for me with a person that's of influence in
8 Ma's office?"

9 FACILITATOR KERN: Right. I agree. I think
10 that strategy, helping her staff to maybe get a meeting
11 going, also talking with Sacramento, it's kind of like get
12 a bunch of irons in the fire, throw a bunch of spaghetti on
13 the wall and see what's going to stick.

14 MS. PASSERO: That might be one thing to do
15 tomorrow to call. Talk to Alioto, tell her staff person to
16 call your staff person and Ma's staff person in Sacramento
17 and, you know, let them know that I'll be calling and that
18 it's an important issue to you.

19 And so that might be for them to invest a
20 little more time.

21 FACILITATOR KERN: Right.

22 MR. BERMAN: I think that's really
23 worthwhile. Because otherwise, you're really not getting
24 anything from your efforts with Alioto-Pier. The only
25 thing she can really do is help you get something going in

1 Ma's office.

2 Is she on that Transportation Committee?

3 MS. PASSERO: No. That's -- Feuer is the
4 chair of the subcommittee that does the hearing on Friday.
5 I don't think Ma's on that subcommittee.

6 I don't know what committees Ma is on,
7 actually. I can check the Website and see. She might be
8 involved in the budget.

9 MR. BERMAN: Because that's the other thing.
10 I mean, if we -- it's much better to be in contact with a
11 member of that committee than -- especially on the short
12 notice.

13 So if you could find out who the -- who the
14 committee members are and then you get back to Alioto-Pier
15 and say, "Look, is there any of these people that you have
16 sufficient direct contact so that we can -- we can tell
17 them what we're concerned about."

18 Because -- because it may be not very useful
19 to do it with Ma's office when you can get -- if you can
20 get someone right on the committee.

21 MS. PASSERO: It's probably good to -- at
22 this point with the chair, Feuer, and his staff person and
23 then Ma could be helpful.

24 Because if you get the interests of that
25 staff person, they could help with the subcommittee, too.

1 So they could talk to that staff person and say, "Could you
2 get this on the agenda and ask?" Speak to both of them and
3 push it.

4 MR. BERMAN: That's a lot of work to do in a
5 few days.

6 MS. PASSERO: Mm-hmm.

7 MR. BERMAN: A lot of work, especially since
8 you really don't know what door to start going in at all.

9 FACILITATOR KERN: This whole thing has been
10 a lot of work and it's all been shooting in the dark, but,
11 you know, by talking about it, you know, all these brains
12 seem to be getting through the nebulous cloud pretty well.

13 John.

14 MR. BUDROE: Yeah. Part of the problem that
15 you have of going in to talk with the subcommittee members
16 directly is you're essentially addressing something that's
17 going to be seen as a local issue.

18 So you really need your local representative
19 to kind of go to bat for you.

20 I know I went up and did some essentially
21 one-day lobbying on behalf of one of the state employee
22 unions.

23 There you could go talk to a lot of different
24 people because essentially you were
25 representing -- you were talking about a statewide issue.

1 Mountain Lake's not really a statewide issue,
2 and even so, we went in to speak to people.

3 If you had somebody who was -- you tried if
4 you could possibly manage it to get somebody in your group
5 that went in to talk to either, you know, the state
6 senator, assemblyman or woman or staffer, somebody who was
7 a constituent, that's what gets the most notice.

8 So it would be nice to go in to talk to the
9 individual committee members, but probably the way it's
10 going to go is you're going to wind up finding somebody
11 like Fiona Ma who's got a bunch of constituents here and
12 she's going to get you entree of getting this on the agenda
13 and working out things so that you'll get a chance to talk
14 to these people and they'll actually make time for you and
15 listen to you.

16 MS. PASSERO: Sorry.

17 FACILITATOR KERN: Go ahead.

18 MS. PASSERO: Just related to that, trying
19 to frame the issue a couple different ways. One, you know,
20 I think you're right that it could be perceived as a local
21 issue and having, you know, Ma be supportive, but I think
22 the other sort of higher level issue in trying to convince
23 them of this is just Caltrans' behavior more broadly and
24 how Caltrans conducts itself, whether it's a Mountain Lake
25 issue or other issues and whether that's dealing with the

1 grant issues, how it's actually engaging with the Trust and
2 some kind of pattern of behavior,
3 which -- so there's sort of a higher level issue that they
4 should also be concerned about.

5 FACILITATOR KERN: Let me give you a stab.
6 Jan.

7 MS. BLUM: More directed to Michelle. You
8 say if you're not successful in executing a short-term
9 strategy, there may be some other meetings later relative
10 to the budget that you could pursue, and I'm wondering if
11 you have some specific times or suggestions about that that
12 we could follow up with.

13 MS. PASSERO: No, I don't. I was just
14 thinking if they can't do it -- the best opportunity would
15 be for this Friday, although it's challenging on such short
16 notice.

17 So you should probably not have high
18 expectations, but if you could get enough interest -- and
19 it may not be only then the Budget Subcommittee, but we'd
20 have to check.

21 There is a committee that actually just has
22 jurisdiction over Caltrans more pragmatically, not just the
23 budget issue, and so it would be talking to maybe some of
24 those committee members.

25 And then making this issue important enough

1 where maybe they would do an informational hearing, and on
2 that Caltrans issue.

3 That will take more effort in really trying
4 to build a case and reaching out to the right people in the
5 -- with the help of Alioto-Pier and others.

6 MR. BERMAN: But doesn't Caltrans sort of
7 have the ultimate ace card here? Because there's still a
8 lawsuit pending. So all they'd have to do is have their
9 attorneys say, "There's a lawsuit pending. We really don't
10 know what course to take and what its implications would
11 be."

12 Isn't sort of going to put a damper on
13 anything that you try to do?

14 MS. PASSERO: I think it could, but the idea
15 is sort of try to counter that, preempt it and, you know,
16 frame the issue differently. That will be probably the
17 argument that they make, but framing it different ways.

18 If you refer me to some of the stuff that
19 Caltrans has done down south, the storm drain issue and
20 characterize it as a broader issue. Then maybe they would
21 nonetheless want to have a hearing around this and ask
22 questions, you know, and conduct, et cetera.

23 So -- so I guess it could be, but I'm trying
24 to find a way to frame it in such a way that kind of goes
25 around that.

1 MR. BERMAN: It's pretty hard, because they
2 can argue that there was a consideration to -- with the TEA
3 grant to do something at the Presidio, but then the lawsuit
4 came along and therefore they feel that they -- they can't
5 do anything because they don't know what the implications
6 will be of the lawsuit.

7 So it seems to me that there's a black cloud
8 sort of hanging on this issue, and I'm -- and I don't want
9 to be appearing negative, but there's a finite amount of
10 energy that Doug has for doing all these things, and the
11 question is is this a direction that -- that is at least
12 promising so that the effort that he -- you and others that
13 would make in -- in making contact with Ma and getting it
14 on the agenda and all of a sudden have some lawyer get up
15 there at the -- at the subcommittee meeting and say, "We
16 can't do anything now. There's a lawsuit," and that shuts
17 down everybody.

18 You know how that works. Nobody knows what
19 the implication of that is.

20 MS. PASSERO: I think letting them know that
21 in advance so that -- you don't necessarily have to invest
22 all the time, but let them know what the issues are so they
23 can make that determination as to whether or not it's worth
24 it --

25 MR. BERMAN: Yeah.

1 MS. PASSERO: -- you know.

2 FACILITATOR KERN: John and Barbara.

3 MR. BUDROE: Yeah. That's a good point, is
4 what you're really talking is you're starting an education
5 effort. The lawsuit's got nothing to do with that.

6 The legislatures can do whatever they want to
7 do. They can tell Caltrans this amount of money's going to
8 be put in the budget and it's going to go for that project.

9 This year probably won't. There is no
10 general fund money out there. If you were going to go for
11 money this year, it's going to have to be something like
12 special fund money, bond money, something like that.

13 But you look at it from the standpoint of
14 now's a good time to get the local Assembly people and
15 state senators educated on this, interested in this. This
16 might be a two-year project. You know, that's the way it
17 goes.

18 MR. BERMAN: That's a good point.

19 MR. BUDROE: Fiona Ma might very well wind
20 up in the state government. If you start educating her
21 now, it might have rollover benefit, as far as that goes,
22 because people in the State Senate have that much more pull
23 than the Assembly people do.

24 So I don't think it's a waste of time at all.
25 Granted, I mean -- well, we can always pay for research,

1 get Doug cloned and get him to take on both jobs, but I
2 think that's it's at least worth spending some time on now
3 to get that ball rolling if you want to get anything
4 significant coming out of Caltrans.

5 MS. NEWTON: That was the whole reason that
6 I thought that we started taking this a step further than
7 the Trust versus Caltrans. It was -- it became more of a
8 community issue, and we thought that by going to the --
9 joining the Friends of Mountain Lake and going to the local
10 political people, that we would educate, like you said,
11 bring this to the community and bring it to the local
12 politicians and do things, because we weren't getting
13 anywhere else.

14 FACILITATOR KERN: I think you're right. I
15 think John's right. It is going to be a process and it's
16 just going to take putting feelers out, putting irons in
17 the fire and just following -- finding our way.

18 MS. NEWTON: We were doing this sort of ex
19 the Trust; correct? That was one of the reasons why we as
20 a committee did it, was because the Trust was involved with
21 the lawsuit and we didn't want to -- we knew we couldn't
22 get involved.

23 FACILITATOR KERN: Yes.

24 MR. CHESTER: More to the site
25 characterization and maybe the immediacy of any thread, I

1 wasn't clear. It came to mind in the last meeting as we
2 were talking about the different wastes that might be
3 there, might not be there, the beach area.

4 Is it known that it is not -- has there been
5 a human health risk assessment or is there anything around
6 the beach area that -- that causes this site to be more or
7 less of a concern to the public exposure?

8 MR. BERMAN: Immediate area?

9 MR. CHESTER: Yeah.

10 MR. BOGGS: The high levels of lead where we
11 found very high levels was in the drop inlets from the road
12 where they discharged into the lake, and they're pretty
13 much near the center of the lake, the deepest part, and it
14 also happens to be a layer of sediments that's about two
15 and a half to three and a half feet below the sediment
16 surface.

17 So we don't anticipate that there's a lot of
18 human exposure to these contaminants; i.e. they'd have to
19 dive to the bottom of the lake and scrape --

20 MR. BERMAN: Scrape.

21 MR. BOGGS: -- down into the sediments.

22 MR. CHESTER: So no road runoff over the
23 beach or the lake --

24 MR. BOGGS: The lake has an overflow pipe
25 that controls its level. That's of a concern, because it's

1 broken further downstream, but from the data we have, it
2 doesn't look like the beaches represent a threat.

3 We didn't have stuff over the cleanup levels
4 and it was pretty much limited to that layer right near the
5 drop inlets.

6 We had some exceedences of ecological based
7 standards for species for pesticides which were
8 probably -- they seemed to be more where like a surface
9 runoff comes into the lake. There's kind of two little
10 arms to the lake.

11 So those -- where hypothetically the model
12 would be that they were applied at the golfcourse,
13 somewhere around there and there was a little bit of
14 runoff.

15 Those are at very low levels, below health
16 level concerns, but above levels for ecological receptors.

17 MS. FANELLI: I can add that I believe the
18 City is looking at the beach issues and I think that
19 there's been some discussion about ocean signs.

20 I got a message forwarded to me just after
21 our meeting this afternoon about the San Francisco Rec and
22 Park person looking for data.

23 So I will be calling that person back,
24 obviously, so something is happening on the City level.
25 I'm just not quite sure what. I believe they're talking

1 about putting signs up. I have no idea what those signs
2 would say. They'll obviously put them on City property.

3 FACILITATOR KERN: Well, another way that
4 I've started to communicate about this -- I think most of
5 you know -- is my -- my little blog out there, the Daily
6 Kernel to check it out, and if I find out anything
7 interesting about this, that's where I'll be. I'll be
8 putting that information out there so everybody can check
9 on it that way.

10 Any other questions on, you know, this sort
11 of groping in the dark strategy on Mountain Lake?

12 All right. We are at our regulatory agency
13 status update.

14 Bob, do you have anything for us?

15 MR. BOGGS: Yes. At 11:37 last night, we
16 got an e-mail from our director saying -- titled: "Reorg
17 Shmeorg" and basically introduced our reorganization plan
18 for the agency.

19 Seventeen branch chiefs -- Tony Landis, who
20 is in our chain -- have been reassigned and distributed.
21 Our agency is becoming flatter by being -- cutting out a
22 lot of middle management.

23 So Tony has been very integrally involved in
24 decision-making here at the Presidio. So right now there's
25 going to be a little more authority for me and Dan, and

1 higher up issues are still going to Rick Moss.

2 There's a lot of unknown stuff going on at
3 the agency, how people have been reassigned, some of the
4 services units, for example, where we've had Rahm as our
5 structural engineer that does seismic analysis and various
6 expertise, those people have been moved around.

7 We're not sure how we can access them
8 anymore.

9 There's a lot of little things just up in the
10 air at the agencies. For the most part, they shouldn't
11 affect us at the Presidio, but there's a lot happening.

12 Other than that, we've got meetings scheduled
13 almost every day this week, like we -- we were there today
14 from 1:00 till ten to 6:00 tonight just hashing through
15 these issues.

16 So a lot of things are going ahead, full
17 steam ahead.

18 MR. YOUNGKIN: So Tony Landis is out of the
19 picture now, I understand?

20 MR. BOGGS: Yeah. It waits to be seen how
21 things fall out because there's -- there was a preliminary
22 plan put out about a month ago and the current reorg is
23 actually considerably different from that.

24 So it's obvious -- apparent to a lot of
25 people that some things still need to be worked out.

1 FACILITATOR KERN: Bob, would we maybe
2 invite Rick Moss to the Summit meeting, then, as a
3 replacement or would it just be you and Dan?

4 MR. BOGGS: It's probably going to be on a
5 case by case basis, but it's my understanding that Rick
6 Moss has actually been in regular contact with Jeff Deis.

7 MS. FANELLI: He normally is invited. I
8 just think the last one, he couldn't make it and Tony came.

9 MR. BOGGS: Yeah. So Rick has come in the
10 past and he's interested in keeping involved in the site,
11 and so we'll probably actually have more contact or
12 involvement with somebody even higher up, and he's worried
13 about keeping his position, as well, but we shall see.

14 FACILITATOR KERN: Agnes, anything from the
15 Water Board?

16 MS. FARRES: Yeah. This might be of
17 interest. The State Board is in the process of revising
18 Caltrans statewide storm water permit, so we expect that
19 that will be a really contentious process, but the -- but
20 the public comment period will be opening up sometime soon,
21 and so that might be an opportunity for you to have a
22 voice.

23 FACILITATOR KERN: That's very interesting.

24 MS. FARRES: Of course I have to point out
25 that the revised permit won't address old projects. It

1 will only apply to new -- new roadways or new developments.

2 So basically in the future, if -- is it
3 Highway 1.

4 FACILITATOR KERN: Highway 1.

5 MS. FARRES: Is redeveloped, whatever new
6 permit conditions are in place would apply.

7 MS. FANELLI: So it could affect Doyle
8 Drive, for example.

9 MS. BLUM: Definitely.

10 MS. FANELLI: Okay.

11 MS. BLUM: And Veteran's Memorial Drive I
12 think is part of the branch off Doyle Drive. Veteran's
13 Memorial is part of the redo of Doyle Drive, too.

14 So -- are you going to be able to send Doug
15 an e-mail as soon as that happens?

16 MS. FARRES: Yes.

17 MS. BLUM: Okay. Great.

18 FACILITATOR KERN: It seems like maybe
19 there's a hook because of the continuing roadway runoff
20 into Mountain Lake and the idea that that would be changed.
21 That would be like a new project, and so then it would
22 apply and all the contamination would be going in.

23 I'm not an attorney, but I play one on TV.

24 MR. BERMAN: Well, there is a precedent
25 that's already been set in Southern California as a result

1 of that case, and that was explicitly to look at future
2 runoff, also.

3 FACILITATOR KERN: It's related.

4 MR. BERMAN: There is now some action by --
5 by the state in order to cure this problem and, you
6 know -- and the best of all worlds, it would be good to get
7 Caltrans to contribute to the cleanup of the patch, but in
8 the practical sense, it would be coming out ahead of the
9 game if, in fact, there was some way of treating the new --
10 the runoff that's going to occur next winter, for example.

11 FACILITATOR KERN: Jan.

12 MS. BLUM: There is going to be federal
13 regulation that maybe Michelle knows about, and that is a
14 requirement, I think, that any new development of a federal
15 property follow the regulations that have to do with storm
16 water treatment.

17 Ruth van Ness has worked on that. I can't
18 remember the bill's name, but maybe that's something else.
19 It's a federal requirement now, so I'll give you more
20 information on that.

21 I think the exact wording for you -- because
22 it came up with respect to how the storm water runoff will
23 be handled that comes from the rebuilt Doyle Drive, and
24 whether it goes through the City or whether it's going to
25 be treated on-site or how it's going to be treated.

1 But this is a new regulation that puts some
2 parameters on the requirements. It has to be dealt with in
3 a certain way. I'll get you some words on that.

4 MS. PASSERO: I just wanted to give Brian an
5 update, but on the issue of the storm water runoff -- and I
6 think we talked about this before -- NRDC was the one that
7 was involved in that case, and I don't know. You know the
8 NRDC person who might be local; right? Is that your
9 friend, Jo Hanawalts?

10 It might be worth getting in touch with her,
11 because they have somebody stationed in Sacramento, so
12 reach out to her, because they might be interested in this,
13 anyway, just as a continuation. Maybe they can help.

14 FACILITATOR KERN: Good idea.

15 MS. PASSERO: Yeah.

16 FACILITATOR KERN: Yeah. That's good.

17 Anything else, Agnes?

18 MS. FARRES: No.

19 FACILITATOR KERN: Thanks very much.

20 We have down here an item 7, the George Ford
21 replacement strategy. That sounds really ominous.

22 MR. BERMAN: Does Brian have anything to
23 report at all?

24 MR. ULLENSVANG: No, I don't.

25 FACILITATOR KERN: We know he's busy. He's

1 got a lot going.

2 MS. FANELLI: I think this came up at the
3 planning committee. And lots of people are asking me about
4 the George Ford replacement strategy, and I am actually
5 sorting through it.

6 My gut at this point is not to run out and
7 immediately replace him. In part because I'm trying to
8 assess and then get some consensus, and our time frame is
9 to do this by -- as soon as we're finished with the Public
10 Health Service Hospital, so maybe have this in place by
11 June/July a strategy going forward.

12 Once we know the strategy going forward, then
13 what I would want to do is align my resources to achieve
14 that strategy and not set my resources now and then have to
15 try to force fit them around.

16 So I want to leave myself some flexibility.

17 And I'm trying to balance costs where our --
18 how I work this and preserve my dollars in that personnel
19 pool at the Trust and all of those types of things at the
20 same time.

21 That said, he does leave a hole, obviously,
22 because I was going to rely on George to help me develop
23 that strategy going forward.

24 And so likely in short-term, I'm going to try
25 to get some consultant backup. I have CH2M Hill -- we

1 talked about that last time -- helping with the master
2 scheduling process.

3 I probably will send out a request for
4 qualifications for services to CH and a couple of other
5 firms, probably, to backfill in short-term George's
6 position to help get us where we need to be in June, and
7 that's the current strategy right now.

8 MS. PASSERO: Would George stay on or just
9 work on a contract basis to help out with the strategy?

10 MS. FANELLI: I think he's working full-
11 time somewhere else.

12 MS. PASSERO: Oh.

13 MS. FANELLI: I don't think that's a
14 possibility, to be perfectly honest with you.

15 So, you know, in some ways, certainly not
16 having him -- last week I felt it acutely. It was his
17 first week gone, and Genevieve was gone Wednesday,
18 Thursday, Friday.

19 So a few questions came up, and I couldn't
20 answer them because two people that do a lot of the
21 planning activities and had the history weren't there.

22 But that's really how I'm approaching it.
23 I'm not rushing to backfill that position at this point in
24 time.

25 FACILITATOR KERN: Action items. We will

1 continue to update progress on RAP3 sites. A month from
2 now, there should be new information coming back from Ryan.
3 Maybe we can invite him back if there's more information.

4 We're going to continue on a variety of
5 fronts around Mountain Lake. I'm not going to try to
6 reiterate all those. We were all here, but making calls to
7 a variety of people and seeing what sticks. That would be
8 a short way of putting it.

9 Trying to get something perhaps happening for
10 this Friday, but also looking to the long-term education
11 process.

12 We've got meetings coming up on RAP4, so
13 we're going to report on that. We've still got a pretty
14 ambitious schedule that we're trying to meet.

15 The big issues -- I think I even put a blog
16 article last night on this -- was the -- the data's not in.
17 We're going to see that on Thursday and have the
18 opportunity to start reviewing that, and that's going to
19 really help us determine what kind of a remedy that's going
20 to be proposed.

21 Are there any agenda items that you can
22 foresee for the next committee meeting that haven't been
23 talked about?

24 As always, get them to Mark or myself, and
25 we'll -- we'll get them in the mix.

1 Are there any other items for the good of the
2 order before we close tonight? Jan.

3 MS. BLUM: Doug, did you send out a link to
4 the Website to everybody in the RAB for the Daily Kernel?

5 FACILITATOR KERN: I thought I did.

6 MS. BLUM: Okay. Good. I know I got it,
7 but I couldn't remember.

8 MR. BERMAN: Are we ready at the next full
9 meeting a month from now for a financial update? Would
10 that be appropriate at that time?

11 Because certainly we'd be at a point where
12 RAP3 should be far enough along that we should kind of
13 really have a pretty good figure for that.

14 MS. FANELLI: I can update you on costs
15 incurred to date on RAP3. I'm counting on my fingers
16 months. Likely overall financial, in terms of going
17 forward and estimates, we'll certainly keep with our -- I
18 think it's May. I think May is the time frame that I
19 should have that, which is -- which is next month.

20 FACILITATOR KERN: It is next month.

21 MS. FANELLI: It is next month, and I think
22 don't forget to do that presentation the month after.
23 Because I think the financial report's due May 15th.

24 So it may be June, if that's all right, but I
25 can get you updates on RAP3 costs.

1 MS. MONAGHAN: The next Summit's May 22nd,
2 too.

3 MS. FANELLI: That's correct. So we can
4 probably have that -- share the preliminary thoughts on the
5 agenda to that.

6 FACILITATOR KERN: The Summit meetings have
7 kind of been generated out of this forum, so hopefully we
8 can continue to -- that would seem to be a good agenda item
9 for next committee meeting is to start discussing the
10 Summit meeting agenda a little bit.

11 MR. BERMAN: It might be worthwhile if you
12 want to have Rick Moss there to send him a note saying that
13 that's the planned schedule for the next Summit meeting.
14 Get some idea whether he can actually show up.

15 MS. FANELLI: Do you normally send the -- I
16 forget now since the Summit happened like my second week
17 here --

18 FACILITATOR KERN: Right.

19 MS. FANELLI: -- last time. I don't
20 remember who sends out the announcements.

21 FACILITATOR KERN: It had been a joint
22 effort between Craig and me, so we can just work it out.

23 MS. FANELLI: So we can send an early
24 reminder.

25 MR. BOGGS: Since Tony's no longer in our

1 chain and he's been the primary person coming, yeah,
2 we'll -- I'll follow up on that, as well.

3 MS. FANELLI: Okay. The 22nd, and I think
4 we said 10:00.

5 FACILITATOR KERN: We said 10:00 to 2:00.

6 MS. FANELLI: That's right, because it was
7 shifted a little bit later the last time, yeah, and now
8 it's 10:00 to 2:00 and we always have a box lunch.

9 FACILITATOR KERN: Any other items?

10 Then without objection, meeting adjourned.

11 Thanks to everyone for coming out tonight.

12 (The meeting concluded at 8:56 PM).

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1 STATE OF CALIFORNIA)

2 COUNTY OF SAN FRANCISCO)

3 I, the undersigned, herby certify that the discussion
4 in the foregoing meeting was taken at the time and place therein
5 stated; that the foregoing is a full, true and complete record
6 of said matter.

7 I further certify that I am not of counsel or
8 attorney for either or any of the parties in the foregoing meeting
9 and caption named, or in any way interested inthe outcome of the
10 cause named in said action.

11 IN WITNESS WHEREOF I have
12 hereunto set my hand this
13 11th day of April,
14 2008.

15 
16 _____
17 MARK I. BRICKMAN CSR 5527
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PRESIDIO RESTORATION ADVISORY BOARD MEETING

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, MAY 13, 2008

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator

Mark Youngkin

Eileen Fanelli

Bob Boggs

Sara Segal

Gloria Gee

Sam Berman

John Budroe

Michelle Passero

Jan Blum

Edward Callanan

Kevin Whilden

Toni Kramer

John Chester

Barbara Newton

---o0o---

BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on May 13, 2008, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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AGENDA

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1 FACILITATOR KERN: Welcome, everyone to the
2 regularly scheduled meeting of the Presidio Restoration
3 Advisory Board; welcome to the Trust and employees and
4 contractors; welcome the Park Service, our regulatory
5 agencies, community RAB members.

6 Tonight, does everyone have an agenda? Are
7 there any changes or modifications?

8 Well, actually, I'm not sure that everybody
9 has an agenda in front of them since we didn't have them
10 printed out, but on that agenda was Mountain Lake update,
11 the quarterly financial report, and I think for new
12 business, there was going to be looking at the Summit
13 meeting agenda.

14 So we'll go through that agenda, but we want
15 to spend sometime reviewing RAP3 and RAP4 -- RAP3 update,
16 which is the primary -- actually RAP4, the negotiations
17 that have been going on.

18 We want to spend a fair amount of time with
19 that tonight to kind of walk through these marathon meeting
20 sessions that we've been having and tell you what's up and
21 seek your reaction and comment to that, and I may then have
22 some comment about the financial report status, but I
23 understand since it's just coming out, it may not be
24 completely ready, so we're not going to do the full review
25 tonight, but you may have some comment on that.

1 So with that, if there are no objections to
2 that change in the agenda, we'll proceed.

3 Are there any announcements?

4 Good thing we've done this before, because
5 I'm just going down the list in my head.

6 So I guess we're on to the committee report.

7 MR. YOUNGKIN: We had our regular Planning
8 Committee meeting on April 22nd, the usual place, building
9 1750, second floor. Started off with the update on the
10 Mountain Lake project similar to the agenda tonight, and
11 Doug gave us an update on that.

12 And we moved on to the RAP3 construction
13 project, just like tonight, and then we had a discussion of
14 the RAP4 field sampling plan, PHSH sites and all that.
15 We'll cover that tonight, too.

16 We had a discussion of the greenhouse gas
17 emissions from trucking during our remediation projects,
18 mostly landfills, an exploratory discussion of that topic,
19 and then we ended up with a brief discussion of the Summit
20 meeting agenda and how we were going to go about doing
21 that. So I guess we're going to have an update on that
22 tonight, too.

23 That's about it. Our next meeting is the
24 fourth Tuesday of the month. Hope to see you all there.

25 Thank you.

1 FACILITATOR KERN: All right. So Mountain
2 Lake update. I guess the good news and the bad news --
3 first the bad news is I don't think I accomplished
4 everything we sought out to do before the process with
5 the -- the legislators kept going as it will, but in that
6 process, I think I -- I learned a lot about what we need to
7 do, and in the communications with our local legislators,
8 in particular Michaela Alioto-Pier's office, we've really
9 made a good ally there with Kathleen Stephanie, the aid to
10 Alioto-Pier, who's been working hard on the project and
11 still does.

12 She contacted me late last week. Apparently
13 she's still in negotiations and discussions with Fiona Ma's
14 office, and she was inquiring about "do you have any
15 updated cost figures?"

16 So I sent over to her office the public
17 documents for the grants that we had supplied. So those
18 gave some rough figures in the eight million dollar range
19 for the remediation or the dredging of Mountain Lake, and
20 then around two plus million for the diversion project.

21 And so I asked her late in the week is there
22 any word that you can give us, because I'm going to be
23 having this meeting tonight and I'd like to report on it,
24 and I haven't heard back from her.

25 So I must -- she's I'm sure working on it,

1 but probably didn't reply because she had no -- nothing
2 really to report.

3 So we still have folks working for us. I
4 have managed to get all of the supervisor meeting that was
5 held back in February. It's all up on the blog in various
6 segments, so that's all viewable by anyone who would come
7 to the site to look at, say, the Caltrans spokesperson
8 segment, and that can be analyzed for content or lack
9 thereof.

10 I'm also in the process of putting up all the
11 public documents that we have, all the correspondence, and
12 I think that will be a way to help us make the case that
13 Caltrans hasn't necessarily been responsive to us over
14 these past years.

15 So that is in the works, and then we'll --
16 we'll proceed again to make our contact with the
17 legislators in order to be ready for the next budget
18 session.

19 In the meantime, I understand maybe there's
20 some rumors about other meetings actually with Caltrans.

21 MS. FANELLI: I know that a meeting is --
22 Caltrans has contacted the Trust to set up a meeting, and
23 that meeting is not yet scheduled. I believe it's in June
24 sometime.

25 FACILITATOR KERN: Okay.

1 MS. FANELLI: Dates they're looking at.

2 They're not setting up the meetings through me. They're
3 setting it up through the legal department.

4 So I don't have a firm date to give you, but
5 there is movement that way.

6 FACILITATOR KERN: And we can probably claim
7 all the credit, so we may as well.

8 MS. BLUM: So that would be about Mountain
9 Lake and not necessarily Doyle Drive?

10 MS. FANELLI: My understanding is this
11 meeting is about Mountain Lake, correct.

12 FACILITATOR KERN: That is also a good
13 thing, that there's -- that's a good result, that the
14 parties are meeting.

15 So we don't don't have the promised meeting
16 that Michaela Alioto-Pier was going to bring all the
17 parties together, but I presume this is just Caltrans and
18 the Trust.

19 MS. FANELLI: I think so at this point.

20 FACILITATOR KERN: So there are still things
21 happening, and we're going to be in good shape for next
22 year budget process. That's my Mountain Lake update.

23 Sam.

24 MR. BERMAN: This is really a question for
25 Eileen, and that is does this pending meeting have to do

1 with the lawsuit, or is it, you know, really something
2 that's related to the Mountain Lake issue, per se?

3 MS. FANELLI: I believe it's related to
4 Mountain Lake. It's to discuss the issues surrounding
5 Mountain Lake, and the -- I believe the Army is also
6 included in that meeting.

7 So it wouldn't just be the Trust and
8 Caltrans. It would include the Army, and I have not seen
9 on agenda.

10 MR. BERMAN: Have you ever seen the
11 documents between the Army and -- and Caltrans that were
12 originally set back in the '30s that gave the right-of-way
13 for the -- for the tunnel and for the -- the runoff and all
14 the other parts that Caltrans now has?

15 MS. FANELLI: I've seen them, but I have not
16 studied them. I don't have a copy in my office, for
17 example, but the Trust certainly has copies of those
18 agreements that were between the Army and Caltrans
19 originally.

20 MR. BERMAN: And has the legal
21 department -- presumably they have -- they are the people
22 that have read through those.

23 MS. FANELLI: Yes.

24 MR. BERMAN: And is there any indication
25 that the Presidio is a special case and wouldn't

1 necessarily set a precedent for Caltrans because of the
2 nature of that agreement?

3 MS. FANELLI: No. I couldn't speculate on
4 what type of arguments our attorneys would be making with
5 Caltrans, and, you know, at this point, there's total
6 disagreement that exists between the Army and Caltrans.

7 So there is no active lawsuit at this point
8 in time, and I think part of the reason they're meeting is
9 to try to discuss those issues and see if they can get to
10 resolution without having to get into a lawsuit action.

11 So I can't answer your question directly, and
12 even if I could, I'm not sure I should, but the truth is I
13 can't. I can't do the legal interpretation of -- of what
14 our position is versus their position.

15 FACILITATOR KERN: Jan.

16 MS. BLUM: There's always a possibility that
17 this meeting would be the start of a new series of meetings
18 between Caltrans and the Trust, sort of ongoing.

19 So I would suggest that perhaps you go back
20 now to Stephanie and tell her that you want to start
21 discussing a time perhaps in July if all things don't go
22 forward where Alioto-Pier can regroup and keep her promise,
23 bring all parties to the table maybe as a third party
24 negotiator, and the reason for that is because there's a
25 long hiatus that the supervisors have in August and we're

1 getting close to election and the end of the year.

2 So July is really a good time to get serious
3 business done before people are really distracted with all
4 the things that go on in the back half of the year.

5 We do have a really big -- June's an
6 election, so July would be good. We'd be past that one and
7 before November. That is -- that would probably be my
8 suggestion.

9 FACILITATOR KERN: Very good.

10 Any other thoughts on Mountain Lake?

11 I think we got a great amount of momentum
12 going. There is activity. There is action. We're going
13 to continue marching.

14 Can you, Eileen, speak a little bit about
15 the -- where you are with the financial reporting, and
16 while you're not going to be able to get full report, any
17 thoughts you might have about it at this time?

18 MS. FANELLI: I can. The reason that I
19 don't have a full financial report for you today is -- I'm
20 going to go to my last slide -- because our full financial
21 report is actually due on the 15th, and so we are actively
22 struggling, but of course we are going to meet that
23 schedule and time frame.

24 So I don't have everything done, but I do
25 have this last slide in my set here, and I'll show it to

1 you.

2 This is a table that you're used to seeing.

3 This is sort of the high-level summary budget of where
4 we're at, and I hope -- is that legible, good enough?

5 MS. KRAMER: No.

6 MS. FANELLI: Thank you very much. If you
7 turn the little circle on the the -- it will -- I can
8 summarize it for you.

9 MR. WHILDEN: That's probably --

10 MS. FANELLI: The number is the number that
11 our board is aware of and has approved in our financial
12 books. You've seen it before. We've actually given you
13 other numbers that are a little bit higher.

14 I think you've seen another 159 million
15 number. Right now we're going to show what the Trust board
16 of directors are aware of and has been published in our
17 financial statements.

18 What this shows is the 1999 budget for the
19 various programs -- that is, programs being CERCLA, lead
20 base paint and soil petroleum, and this is where we catch
21 some costs that are kind of global and administrative. We
22 call it admin.

23 Accrued today is everything we have spent.
24 It's basically cash out the door. Accrued is any invoices
25 that have come in, but we haven't yet paid. It's accrued

1 in sort of the accounting sense of accrued.

2 This is our current estimate that our board
3 has approved. It goes to the 152. And so right now, what
4 you're seeing is percent spent, the accrued versus our
5 estimate at completion and percent complete, and they're
6 the same number, and as you know, I've spoken before that
7 we're doing a compilation of the different projects that we
8 have, to review the component costs of all of these
9 projects.

10 If you remember, we're doing fairly well on
11 petroleum and not quite so well on CERCLA in terms of
12 budgets, and so what we're working toward -- we can give
13 you a better update when we get together in June -- is a
14 meaningful measure of percent spent versus percent
15 complete, because we want to see these numbers either equal
16 or we want to see better on percent -- on percents
17 complete.

18 So all the detail of this is going to be in
19 our quarterly report. I will be issuing that in -- in the
20 next couple of days. My goal is to get it out on the 15th.

21 It may be a couple days after that, and
22 everybody will be copied on that set of books.

23 One of the other things we're trying to
24 do -- and John's here in the back -- is we're trying to get
25 the accounting that we send to Zurich aligned time-wise

1 with this accounting, because it used to lag by about three
2 months, some of our details, and so we're trying to get
3 everybody on the same schedule, you know, on the same time.

4 So we're actually going to get a big report
5 out that's going to go to everybody.

6 We just did Zurich's a couple of months ago,
7 but we're going to have another one for you that updates to
8 this current program.

9 So that's what I have for budgets.

10 Sam. And then Jan.

11 MR. BERMAN: I notice that the admin costs
12 in remaining to complete, if I can read the number, is it
13 three or five --

14 MS. FANELLI: That's shown at three.

15 MR. BERMAN: Right. So that's greatly
16 reduced as a fraction -- I mean, if I look at the --
17 the -- the admin accrued, it's fifteen and it -- and -- so
18 does that mean somehow that the admin costs are going down
19 relative to the --

20 MS. FANELLI: Yes.

21 MR. BERMAN: -- rest?

22 MS. FANELLI: Well, admin includes some
23 costs that are sort of allowable expenses, and it includes
24 a lot of costs that aren't allowable under our policy, and
25 for example, the cost of the policy is in that number

1 originally, so that's -- it was front end loaded from that
2 standpoint.

3 And then there's a lot of Trust labor in
4 that, and we've been trying to refine and do better with
5 less external labor.

6 So that still reflects Trust labor that --
7 that we wouldn't assign necessarily to some of the other
8 programs.

9 MS. BLUM: You used a term on the 152
10 million, that this was the number that the board approved,
11 and I'm not sure I understand what that means.

12 MS. FANELLI: The board of directors
13 approves our financial statements on an annual basis,
14 and -- and actually, I misspoke a little bit.

15 I'm not sure if the last annual report -- if
16 somebody had a copy here, they could look -- if that number
17 was 150 or 152, but in addition to our board approving that
18 number -- because it's in our books -- on an annual basis,
19 quarterly, we update it, and we actually get audited by
20 outside auditors, and those numbers then are audited, and
21 then once the board accepts the auditor's review, then
22 those numbers are -- become our budget numbers.

23 MS. BLUM: Thank you.

24 MS. FANELLI: So that 152 audited -- I
25 believe -- it wasn't audited. I'm sorry for not being

1 clear here.

2 MS. BLUM: That's all right. You've
3 explained.

4 MS. FANELLI: I believe it was September
5 2007 was the last internal audit, and I honestly can't -- I
6 think it might have been a 150 number, and the reason now
7 it's at 152 is because we have documented those costs.

8 They're mainly -- they're virtually a hundred
9 percent related to the Baker Beach. That's the difference
10 there.

11 MS. SEGAL: Maybe I'm missing something
12 here, and I apologize, but I understand the budget that the
13 board approved.

14 MS. FANELLI: Mm-hmm.

15 MS. SEGAL: And 108 million would be the
16 Zurich premium plus the money from the Army, but of the 152
17 million and those are real dollars that need to be spent or
18 are projected to be spent, not in-kind costs or other
19 things.

20 MS. FANELLI: Correct.

21 MS. SEGAL: So where's the other 52 million
22 coming from?

23 MS. FANELLI: Well, we're working on that.

24 MS. SEGAL: Okay. It's just --

25 MS. FANELLI: It's an overrun and we're

1 trying to get a better handle on that. We're trying to
2 look at cash flow out on that.

3 MS. SEGAL: Okay.

4 MS. FANELLI: Some of those costs are
5 related to unknown sites where we actually have claims with
6 the Army and claims with Zurich. So some of that money,
7 you'll see --

8 MS. SEGAL: But the claims will reduce that
9 somewhat.

10 MS. FANELLI: Right.

11 MS. SEGAL: But when you first started
12 talking, you were talking about twenty to thirty million
13 dollars.

14 MS. BLUM: It's growing.

15 FACILITATOR KERN: That's what that is,
16 actually.

17 MS. FANELLI: Yeah.

18 FACILITATOR KERN: There's an interest area
19 there, about twenty million.

20 MS. FANELLI: So what we show here, these
21 are the total estimated costs. Some have been reimbursed,
22 a large chunk by the Army on Baker Beach 2A. There's some
23 interest income that we're counting on on the original, so
24 there is a net cost that's associated with it.

25 What you don't see here is cash flow, and

1 we're working on that cash flow, and that has a lot to do
2 with how we prioritize and do sites in the future, and we
3 are working on that internally and getting prepared to
4 share that with stakeholders so that we can refine our --
5 our master schedule, if you will, for completion.

6 MS. SEGAL: One last question in terms of
7 the interest income. I mean, no one's paying twenty
8 percent these days, so how do we get -- how are we getting
9 so much interest?

10 MR. BERMAN: That's over the whole period.

11 MS. FANELLI: It was whole over the whole
12 period.

13 MS. SEGAL: Oh, over the --

14 MS. FANELLI: You're absolutely right.
15 We're not getting that much now. We actually for -- the
16 auditors brought that number way down.

17 MS. SEGAL: Thank you.

18 MS. FANELLI: Michelle.

19 MS. PASSERO: Is there a trend to increase
20 that number after? Is that currently at 152, but here
21 before, it was at a lower number, here before a lower
22 number where you can actually look at what -- it's too
23 erratic.

24 I haven't paid attention, but to kind of
25 track what the trend is and therefore kind of -- I mean, I

1 know you try to build in things to actually avoid that, but
2 to know what that trend is over time, perhaps anticipate
3 what the upper fringe would be?

4 MS. FANELLI: We've done some analysis as to
5 what is the primary cause of the increase. A chunk of it
6 is unknown sites that weren't anticipated. A chunk of it
7 is just scope growth, larger volume, sites like Baker
8 Beach, and then a chunk of it is particularly CERCLA sites
9 that is taking considerably more planning and work upfront
10 to get to the remedies.

11 In terms of a trend, is there one certain
12 thing that's been escalating over time? That analysis I
13 don't believe has been done, and to be honest, I'm not
14 proposing to do that.

15 I'm starting sort of today looking forward at
16 those sites that are the biggest liabilities in terms of
17 their cost or their -- the risk of an overrun and trying to
18 evaluate those and see where we're at with those.

19 MS. PASSERO: I was just wondering just from
20 like a pure numbers perspective, you know, from -- you
21 know, if there is some kind of --

22 MS. FANELLI: I have not -- I have not
23 observed it, but I'm not sure that I've done the level of
24 analysis that you're -- you're looking at.

25 I could certainly go back -- we could all go

1 back to the annual reports and look at what's happening.

2 MR. BUDROE: Would it be reasonable to
3 assume that you've got applications for reimbursement for
4 the Army and Zurich in the pipeline now that might wind up
5 showing in that reimbursed cost column?

6 MS. FANELLI: Yeah. This is just cash. So
7 yes, there are claims out there. There's nothing
8 speculative here or forward looking. This is all a cash
9 basis. That's actually money that we've received back from
10 the Army or from Zurich.

11 MR. BUDROE: So the net costs can actually
12 come down in the future, potentially?

13 MS. FANELLI: Yes.

14 MR. BUDROE: That's not a sure thing?

15 MS. FANELLI: Right.

16 MS. GEE: Excuse me if you covered this
17 earlier, but I came in late. Column F, you know, that's
18 just the same as --

19 MS. FANELLI: That's correct.

20 MS. GEE: That's you're trying to force --
21 it's not a real --

22 MS. FANELLI: Right now --

23 MS. GEE: -- number.

24 MS. FANELLI: -- it is just looking at
25 percent spent.

1 MS. GEE: I'm no --

2 MS. FANELLI: The plan for the future is to
3 be -- to do some additional analysis on cost to complete
4 and actually see if we're further ahead. To be a little
5 bit more rigorous, I should say, on how we estimate percent
6 to complete versus percent spent.

7 That I think is a meaningful number. There's
8 a lot of ways to go about it. It's just not a simple
9 ratio, but we're trying to find a means to look at that and
10 report on it meaningfully.

11 Right now they're shown as the same.

12 MS. GEE: Right.

13 MS. FANELLI: What this is basically saying
14 is we're right on track. We've spent what we thought we
15 would spend at this point in time.

16 This is what it's going to take to complete.
17 We're going to look at a more detailed way of evaluating
18 that in the future.

19 MS. BLUM: You said that you're looking on
20 all the sites that we have left and trying to prioritize
21 how you deal with them and so on.

22 Will that be reflected in the new balance
23 sheet in June? Will we be seeing your thinking, then, in
24 June when you are prepared to talk to the Trust?

25 MS. FANELLI: Yeah. In June, what you'll

1 see -- you may not see changes in the estimate of
2 completion, but -- except that hope -- well, you'll
3 probably see the same number.

4 MS. BLUM: Oh.

5 MS. FANELLI: There might be moderate
6 changes of it, but likely it will be close to this number,
7 but like we'll have gotten all of our documentation
8 approved by our auditor, so that 152 is what's reflected on
9 the Trust books as opposed to the current 150.

10 What I'm hoping to have in June is the -- in
11 addition to giving you full sets of what's the detail
12 behind these numbers, what sites are responsible for what
13 numbers, where we spent the most money in the last quarter,
14 et cetera, also have the framework of how we're going to
15 move forward to complete, and we may not have -- I can
16 assure you in June, because we won't have had time to vet
17 that priority of the sites.

18 I can probably give you a straw man, but I'm
19 a little bit hesitant to do that without first sharing the
20 information. But I can certainly give you the structure.
21 Because I can tell you cash flow for next year I will have
22 worked out because that would be the RAP4 sites that we're
23 talking about now. If that makes sense.

24 MR. BERMAN: Just one question about
25 planning.

1 MS. FANELLI: Mm-hmm.

2 MR. BERMAN: Since the petroleum sites are
3 not as difficult to deal with as the CERCLA sites, how
4 close is the cost estimate for the petroleum sites, the
5 cost for completion close to the actual original estimate?

6 MS. FANELLI: That's a good question.

7 MR. BERMAN: Because I would have
8 thought -- I would have thought that was one you could
9 actually do a fairly good job on.

10 MS. FANELLI: We're very close, yeah. We're
11 very close. The 1999 budget was 33 million. We've spent
12 about twenty and we think we have eleven more, so we're
13 doing very well on petroleum.

14 We're virtually -- we have one large site
15 left on petroleum. So we could say we're about 85 percent,
16 because it's a big site. 85 percent complete, but we're
17 probably around 58 percent spent. So that's a good news
18 area where --

19 MR. BERMAN: Right.

20 MS. FANELLI: -- we're actually doing quite
21 well.

22 MR. BERMAN: It's actually worth blowing
23 your horn a little bit about it, because when the sites are
24 a little bit better understood and don't have the CERCLA
25 complications, you can do a pretty good job, whereas with

1 the CERCLA sites, there's -- there's more unknowns and more
2 complications in dealing with DTSC than with the petroleum.

3 MS. FANELLI: Yeah.

4 MR. BERMAN: So -- I'm not blaming you, Bob,
5 but --

6 MR. BOGGS: I'm a complicated agency.

7 MS. FANELLI: They're more complicated, and
8 what we're trying to do through process is get our arms
9 around that and be a little bit better at dealing with
10 those -- a little bit more streamlined or effective at
11 dealing with some of those complications, yeah.

12 MR. BERMAN: But I still think in presenting
13 your case to the board, you can say that here's the
14 petroleum sites and we went in, we had an estimate. We had
15 a plan, we had an execution and the numbers are good to
16 within a few percent, and you can't do that with CERCLA
17 sites because -- and you can state your reasons to a
18 certain extent, and that way at least you get credit for
19 doing the things that you could do when the parameters were
20 viable -- more viable.

21 MS. FANELLI: Thank you, yeah.

22 MR. YOUNGKIN: They may also reflect in '99,
23 EKI did the budget and they were very experienced at
24 petroleum sites and everything. In CERCLA, they didn't
25 have a lot of experience in that, so they just did a better

1 job estimating.

2 MR. BERMAN: It doesn't make a difference.

3 EKI's been out of the estimation since '99 and the CERCLA
4 site's been growing, anyway. I mean, the costs.

5 MR. YOUNGKIN: Someone else might have put
6 more uncertainty into those CERCLA costs.

7 MS. FANELLI: I think it's about fifteen
8 million dollars estimated right now in unknown sites that
9 were not anticipated at the time and they're all CERCLA
10 sites, so that's a big chunk of it.

11 MR. YOUNGKIN: Yeah.

12 MS. FANELLI: So that's what I have for
13 finance right now. I promise a full report with all the
14 detail by next month.

15 FACILITATOR KERN: Very good. Thank you.

16 I'd now like to move on to a combination
17 Summit meeting preparation agenda and this work that we've
18 been doing, because they're both related.

19 We've been using the Summit meeting -- which
20 is next Thursday, a week from tomorrow, May 22nd -- as a
21 point to pressurize ourselves to get as much done as we
22 could, with the object of trying to get to that meeting
23 with at least reasonably good concepts of what would be
24 recommended for landfill 8 and landfill 10 in terms of a
25 remedy.

1 So tonight, I want to review with you -- with
2 Brian and Bob and Eileen and Agnes the meetings that we've
3 been in.

4 I can tell you that on May 1st, we met for
5 four hours. May 5th, another four-hour meeting. May 6th,
6 another four hours. May 13th, that was today was another
7 four-hour meeting, all of these meetings designed to review
8 data, come up with concepts of what the alternatives for
9 these sites would be, and then begin to try to converge on
10 what would be recommended so we can go into the Summit
11 meeting with an idea to -- to bring.

12 MR. BERMAN: Is this just on 8 and 10?

13 MS. FANELLI: And PHS fill. So it's all of
14 the sites that are around -- around the area, yeah.

15 MR. BERMAN: Okay.

16 FACILITATOR KERN: And there are also some
17 firing ranges involved in RAP4, and those in general are
18 agreed to among all the parties what's being proposed.

19 I think without exception, they're excavating
20 the material and hauling it away. That's really what's
21 being recommended.

22 So with 8 and 10 -- and I should really say
23 the order that we've been looking at those has been 10 and
24 then 8. 10 is the one that has taken the effort.

25 We've looked at -- we've broken the site into

1 four different areas, and one of those areas has kind of
2 been taken care of. So let me just refresh your memory of
3 what those are.

4 There's the face of landfill 10. That's in
5 area A. There's the parking lot over the top of landfill
6 10. That's in area B, and that parking lot is projected to
7 be a parking lot in the future development of the Public
8 Health Service Hospital.

9 There's the new site that was found in what's
10 called the Public Health Service Hospital fill area, PHS
11 fill. It's kind of directly in front and to the west of
12 the parking lot, and then the connector buildings between
13 the two wings beneath that area was found to have
14 contamination in what's called -- we call it the connector
15 fill. So to kind of get the connector fill piece out of
16 the way.

17 I guess I was in meetings where we showed
18 that there was some contamination in the -- in that
19 engineered fill beneath the slab.

20 There are several hypotheses about how it got
21 contaminated, but the fact is it was, and it kind of came
22 down to a choice. You could -- Forest City, the developer
23 could either take up that slab and remove that material or
24 they could go through an involved public process where they
25 would have to do Remedial Investigation and RAP.

1 That was going to take them many months and
2 probably lots of money. So in the process of taking down
3 the wings and the connector building, I think in principle
4 the agreement is to also take the slab away and to take the
5 contaminated material away during the demolition.

6 So that piece I think has been agreed to, at
7 least the way I understand. I don't know if anybody signed
8 any pieces of paper yet, but in principle, that's where
9 that stands.

10 MR. CHESTER: And that happens outside of
11 the RI/FS documentation?

12 MR. BOGGS: It happens under what we call
13 the soils management plan, which we apply to, for example,
14 a building where they spray pesticides around the
15 foundation.

16 We don't consider that a release to the
17 environment because it's there serving its intended
18 purpose.

19 Now if they do a building demolition and that
20 material disappears as part of the demolition per an
21 approved soils management plan, we don't require a public
22 process because it results in an unrestricted use of the
23 site. So that's basically what's happening here.

24 In addition to they found some lead in the
25 fill material. There's pesticides in a couple areas around

1 the building. Similarly, they're relatively low levels.
2 It's not any indication of dumping. They're at the
3 concentrations that would be indicative of applying it to a
4 building.

5 So similarly they're proposing to dig
6 those --

7 MR. CHESTER: This material is considered
8 building material and not a --

9 MR. BOGGS: Not a release. That was
10 actually a very key determination in the process, because
11 historically not far from that area, there was reported a
12 tin can dump area, but in all our borings and all our
13 investigation, we found no indication of dump material, tin
14 cans, rust, anything like that.

15 If we had, they wouldn't have been allowed to
16 do this because it would have been a release site.

17 So right now it really looks as though this
18 is material that was part of the engineer fill. It's
19 literally underneath the foundation of the building.

20 It's not -- doesn't appear to be outside the
21 foundation of the building, so our -- I got our legal
22 department involved and they're in concurrence that at this
23 point, they don't see anything that's indicative of a
24 release, so therefore the residual contamination.

25 There's also some lead-based paint around the

1 perimeter, but this can be handled in accordance with their
2 lead base paint management plan and the soils management
3 plan that the developer submitted.

4 MR. CHESTER: Thanks.

5 MR. BOGGS: It's also only when it's going
6 to result in clean closure and restricted use.

7 MR. CHESTER: There's some cost savings in
8 that whole process.

9 MS. FANELLI: I think they also did quite a
10 bit of investigation, too, to bound a significant amount.

11 MR. BOGGS: Yeah. They jumped through a
12 number of hoops to get to that point.

13 FACILITATOR KERN: So the next site is
14 the -- what's called PHSH fill, the new area fill in front
15 of the hospital. There have been quite a number of test
16 pits put into this site, and I was out there during -- in
17 fact, Brian and Bob and Eileen, we were all out there
18 looking in these pits as they were being dug, some of them,
19 and we found that it looked like that site was probably an
20 area where there were dump truck size episodes of dumping,
21 because in one test pit, you'd find rubble and the one
22 right next to it, there wasn't any.

23 But it was clearly fill. You could see
24 layers, and I think it's been described that that general
25 area of the PHSH fill has approximately a three foot layer

1 over it of what appears to be soil.

2 MS. CHEEVER: Could you say why it has that
3 name?

4 FACILITATOR KERN: I objected, actually, to
5 the name PHSH fill because I think it gives it a little bit
6 of a weird connotation, but PHSH.

7 MS. CHEEVER: Oh, all right.

8 FACILITATOR KERN: It looks like PHSH if you
9 throw an eye in there.

10 MR. YOUNGKIN: More like the band PHSH.

11 FACILITATOR KERN: Or phishing on a
12 computer, yeah.

13 So there's actually no fish in the PHSH fill.

14 MR. BOGGS: That we're aware of.

15 FACILITATOR KERN: That we're aware of. No
16 fish have been found at the PHSH.

17 MR. BERMAN: So you have a resident
18 paleontologist that confirms that.

19 FACILITATOR KERN: It will probably turn out
20 to be a dinosaur fill.

21 So there's rubble. There are some
22 exceedences of lead and other metals in the fill below.

23 They're not extremely high. There's nothing
24 as high as -- in my recollection as over at the connector
25 fill piece, which is being excavated.

1 So there are sporadic hits below -- in the
2 rubble below this three foot layer.

3 MS. FANELLI: The primary health is the
4 Benzocypylene, so PHs for the area.

5 FACILITATOR KERN: So Benzocypylene, you may
6 recall, is a component or it's a -- a burn product, and
7 we've previously looked at those when we looked at the
8 skeet ranges.

9 It was part of what made up those skeets,
10 kind of the tar holding the little -- whatever those things
11 are called that people fire at.

12 MR. ULLENSVANG: Pigeons.

13 FACILITATOR KERN: Pigeons. So when all
14 those pigeon shards were all over the crissy Field beach
15 that's what the cleanup. PHs, Benzocypylene, and there's a
16 whole suite of these.

17 Benzocypylene is carcinogenic, and that's the
18 ones that people look at as kind of the surrogate to see if
19 it's worth cleaning up.

20 So there's a bunch of hits of burn products
21 of BOPs, Benzocypylene.

22 MR. BERMAN: Does the public health hospital
23 have its own incinerator?

24 FACILITATOR KERN: I think there were
25 incinerators, absolutely, yeah. We definitely know there

1 were and they were used to burn some of the -- either
2 bodies or animals or whatever, yeah.

3 MR. BERMAN: So is this a possible site for
4 the -- for the incinerator remains?

5 FACILITATOR KERN: I'm not recalling that we
6 saw evidence of an ash -- of ash layers. I don't
7 necessarily recall there being obvious ash layers.

8 MS. FANELLI: It was not logged as ash
9 layers. Really what we saw was primarily building rubble
10 and building debris, some bricks, masonry, a lot of just
11 plain sand fill, earth fill as well as debris.

12 FACILITATOR KERN: Yeah. There were several
13 test pits where you didn't see like clumps of things, just
14 different layers, dirt layer, this layer, that layer, many
15 episodes of filling, though.

16 MR. BERMAN: Where did they -- the hospital
17 actually dump its incinerator ash?

18 FACILITATOR KERN: Well, we know there was
19 dumping of ash on Baker Beach for sure. It's hard to
20 imagine they would cart it over there.

21 MR. BERMAN: Right. That's a long way.
22 Given that they did have dump sites around the hospital,
23 you would think that they would probably have some site in
24 which they would dump the ash, that they wouldn't haul it
25 to Baker Beach.

1 So is that something -- has anyone looked
2 historically at the records and -- to get any clue about
3 what -- what --

4 MS. FANELLI: There actually has been some
5 extensive historical review of the fill episode. The
6 filling looks like it was primarily for land area to create
7 buildable land area around the Public Health Services
8 Hospital.

9 There's been no records at all of hospital
10 ash or incinerator ash being disposed of there, and we did
11 not observe there.

12 We did collect over 109 samples for chemical
13 analysis as part of this fast-track evaluation that we did
14 from the fill area in landfill 10. So we feel fairly that
15 we've characterized it fairly well.

16 That's not to say that there couldn't be ash
17 in there. It's just to say that with all that cash, we
18 have not identified any independently.

19 MR. BERMAN: I understand. I'm just
20 wondering whether you had some suspicion or some thoughts
21 as to how the hospital disposed of its -- of its burn
22 material.

23 MS. FANELLI: I don't -- I don't have a good
24 answer for you, though. We didn't see any evidence of it
25 in the record review that we did, looking at the history of

1 filling out there.

2 There may be records. I don't know if, Brian
3 -- that you're familiar with the record-keeping of the
4 hospitals.

5 MR. ULLENSVANG: I've actually never seen
6 records of waste disposal in the Presidio.

7 MS. FANELLI: The hospital was not one of
8 the things that -- we are reminded of occasionally was that
9 it wasn't run by the Army. It was really under a separate
10 jurisdiction for a long time, and they really may have
11 hauled that material off-site to a resident disposal
12 facility.

13 MR. YOUNGKIN: I think poor record-keeping
14 has been recognized all along, and every investigation
15 looks to try to find this stuff stuff, and landfills 8 and
16 10, I don't think they've really turned up a lot.

17 FACILITATOR KERN: We did have -- one of our
18 meetings was looking at the historical dumping in terms of
19 what years can you see the movement, and there's quite a
20 bit of documentation of that, but not the material, where
21 it came from.

22 Related to this PHS fill area is the
23 Mountain Lake overflow pipe, kind of connect the two pieces
24 together because part of that pipe which has been
25 determined to be clogged up down at the lower end by roots

1 and things of that nature goes through this PHSB fill area.

2 So if it were leaking, it can be leaking
3 through fill material and then seeping down into Lobos
4 Creek.

5 So we want to protect against that
6 eventuality, and in -- I think there's been an agreement in
7 principle to fix that pipe, at least to a certain point so
8 that there won't be water running through fill material.

9 So we have the connector fill and the PHSB
10 fill piece. After I finish with this, just introduction of
11 these four pieces, then we can maybe hand out something
12 that shows the alternatives that we've been developing.

13 There's the landfill 10 area that we've all
14 known about all these years where the parking lot is going
15 to go. That has also had hits of lead and --

16 MS. FANELLI: Zinc.

17 FACILITATOR KERN: -- zinc and copper and
18 the BAPs, as well, or the -- Benzocypylene.

19 So -- but that is contained in the landfill
20 material, and since there's proposed to be a parking lot on
21 the top, you'll see that in the analysis that there -- all
22 of the alternatives, except complete excavation, pretty
23 much need some sort of a cap over the top to protect
24 against that being released.

25 The final piece is the face of landfill 10,

1 which is currently exposed. It has some plants on it.
2 They're mostly invasives, and there are a bunch of trees on
3 it. Some of them are dead, the trees.

4 So probably leave it to whether we pass this
5 out to discuss what's being done, but there have been
6 samples on the face. I think there's some ten to fifteen
7 sample locations and they were sampled at --

8 MS. FANELLI: There was --

9 FACILITATOR KERN: -- on the face.

10 MS. FANELLI: I want to say 22, but that
11 might be double dip.

12 MR. ULLENSVANG: They were samples.

13 FACILITATOR KERN: And then they were
14 sampled at six inches and ten feet.

15 And in that sampling, there were more of
16 these Benzocypylene areas found and some lead on the
17 surface.

18 So this might be a good opportunity to go
19 through the alternatives that have been generated by this
20 group.

21 To bring people back a little bit, part of
22 what we -- the comments that the RAB has made in the past.
23 You may recall that for landfill 10, it was proposed that
24 there would be a cover that would be impermeable and a
25 cover that would be permeable, either one that water could

1 go through or not, and then there were nine sub-
2 alternatives of those, and all those alternatives were the
3 four to five to six million dollar range, and the RAB over
4 the years has commented that we would have liked to have
5 seen some other alternative in some other price range, if
6 that were available.

7 So hopefully we've got something like that to
8 show you.

9 MS. FANELLI: Are you looking at me now?

10 FACILITATOR KERN: Right.

11 MS. FANELLI: Okay. Well, we have been
12 going awfully fast, and one of the meetings that we did
13 last week was we kind of looked at the data, looked at
14 where the COCs that were driving some of the human health
15 and ecological risk concerns, and they've been mentioned,
16 Benzocypylene, zinc and lead, which are the three biggest
17 that we're dealing with.

18 We looked at remedial technologies for each
19 of the areas, and then we actually pulled together a set of
20 remedial alternatives.

21 They are in very draft form summarized on
22 this sheet. I'm going to pass it around, and you can help
23 yourself to one.

24 Please know that there's draft all over this.
25 These are not numbers that are set anywhere in near stone.

1 They are first kind of cut at what we're looking at.

2 But we have come up with a range of can we
3 manage it as it is, so sort of the split of land use
4 control that you see. You see land use control, so we
5 restrict access to be protective, to -- more aggressive
6 methods to be protective.

7 Including we actually have the remove clean
8 closure alternative, of which numbers are somewhat crazy,
9 that we can even do it, because the whole areas are fill,
10 the roads are built on fill, and there would be so much
11 infrastructure in place.

12 So we've looked loosely at -- and are in the
13 process of discussing for the PHS fill area land use
14 controls, some biotic controls, meaning are there things
15 that we need to keep burrowing animals from bringing
16 contaminants to the ground surface? Do we need to add
17 additional soil cover to be protective?

18 If we need to add, how much soil coverage do
19 we need to add, and do we look at clean closure? That's
20 sort of the range.

21 In every case, there's land use control,
22 except clean closure, which is really not a viable option
23 for us, but -- and that land use control is just to note
24 and restrict and make sure that people are not exposed or
25 animals are not exposed.

1 MR. BERMAN: Does that usually mean fencing?

2 MS. FANELLI: It can. The Trust I don't
3 think has historically fenced any sites off in terms of the
4 land use control.

5 So usually it's some type of cap or cover or
6 barrier, and then we have like land use deed restrictions
7 about what activities can happen there, so that people --
8 people can't be exposed unless there's additional cleanup
9 for a higher -- higher use or use with more potential for
10 exposure.

11 Does that make any sense?

12 MR. YOUNGKIN: Slope area space.

13 MS. FANELLI: Slope area face.

14 So we went through the PSH fill. The same
15 thing for the parking area, land use controls.

16 Maintaining the cover, improving the existing
17 cover, which is settled and broken, where we don't have an
18 asphalt cover, which is more solid, doing some of the same
19 things that we would do in the fill area, which would be a
20 biotic layer to keep critters from bringing any material up
21 and those kinds of things. So that's alternatives that
22 we're looking at.

23 On the face of the landfill, we're looking
24 again at land use controls. We're looking at controlling
25 it, controlling erosion mainly and revegetating the slope

1 to maintain it, but having controls without a physical
2 additional cover, but having sort of a vegetative cover
3 that would grow and help hold the soil in place and prevent
4 erosion, and add some erosion control features.

5 We've looked at different covers for the
6 material to be protective, some with reinforcement for
7 burrowing animals. Some -- and that reinforcement usually
8 serving a couple of purposes.

9 One purpose is to actually help stabilize the
10 soil, because it's quite steep as you're aware of, and also
11 to -- actually, I take that back. It's not to stabilize
12 the material. It's to stabilize the soil that we place on
13 the slope, to hold that in place and prevent burrowing
14 animals and replanting the area.

15 We've looked at the need to potentially grade
16 and lessen the soil. That has the benefit of helping soil
17 stay in place as a cover.

18 It also just makes the slope more stable in
19 the long run in terms of seismic events, et cetera.

20 We've looked at buttressing and other
21 activities to also stabilize that slope in the outside
22 event of a seismic event.

23 FACILITATOR KERN: So I think this
24 buttressing example 2E was the one that -- of all the other
25 ones that we looked at, including pin piles and other ways,

1 this one actually made it to the final consideration round.
2 It's doable. It costs reasonable amounts. It's sort of in
3 the range of the other ones.

4 There are some tradeoffs. It would take more
5 -- it would cause more damage to the environment or the
6 plans that are currently there down in the Park Service
7 area, but potentially it has some benefits, so --

8 MS. FANELLI: It also has a particular look.
9 It's like a ten foot high dam, dyke, if you will. It's a
10 buttress at the toe of that slope and backfill behind it.

11 So it could have some ramifications for what
12 you could do with that slope in the long run, as well, in
13 terms of replanting.

14 But to add to what Doug was saying, part of
15 the analysis that we did was a seismic stability analysis
16 under a -- I guess static and seismic loading type things,
17 and -- and so the one good news is that we don't think that
18 there's a risk of a deep seeded failure in a seismic event.

19 There is the potential for surface slumping
20 in a seismic event that may come off.

21 MR. WHILDEN: I have a couple of questions.
22 Can you remind me again why the face is exposed and why
23 it's so steep?

24 MS. FANELLI: It's rubble at the angle of
25 repose. It's just sitting there, and it does have a lot of

1 invasive species growing on it now, which is in the long
2 run, you know, not desirable.

3 There are -- it is somewhat of a nuisance.
4 There are homeless that can get down there, that have been
5 down there. So there's issues associated --

6 MR. WHILDEN: Right.

7 MS. FANELLI: -- with it.

8 MR. WHILDEN: So buttressing, what is that?

9 MS. FANELLI: Buttressing would be to
10 support the space of it in a seismic event from the shallow
11 slumping.

12 MR. WHILDEN: How do you support it?

13 MS. FANELLI: It would be an earthen
14 buttress about ten feet tall.

15 MR. WHILDEN: A big pile of dirt?

16 MS. FANELLI: It's a reinforced buttress.
17 It's just resisting that desire to move laterally in any
18 event.

19 MR. WHILDEN: So it essentially extends the
20 landfill to --

21 MS. FANELLI: It could a little bit. The
22 idea is that we want to minimize -- minimize that.

23 MR. WHILDEN: Right.

24 MS. FANELLI: That's sort of a design
25 detail. It has to do with how much you have to grade it.

1 FACILITATOR KERN: There's another question.

2 MS. PASSERO: I just had a question on

3 how -- when you're doing the estimates over the long-term

4 costs, how far out does it go? Like at what point do some

5 of these things really degrade or deteriorate that you have

6 to redo it?

7 MS. FANELLI: These costs include both the

8 capital up-front costs, and then there is an operation and

9 maintenance cost built into it, and it goes over a --

10 MR. ULLENSVANG: Thirty-year.

11 MS. FANELLI: -- thirty-year time frame is

12 what they've looked another, which is kind of a standard

13 time frame. So those are built into it.

14 FACILITATOR KERN: Jan.

15 MS. BLUM: I believe a long time ago when we

16 were looking at the potential remedies for landfill 10,

17 these various scenarios also had a pallet of plants that

18 would work in the remedy, and six inches just looks -- I'm

19 not an expert.

20 Will six inches allow enough space for a

21 plant to grow without reaching contamination? That just

22 seems so small.

23 MS. FANELLI: I don't think the assumption

24 is is that it would not reach contamination, but that's one

25 of the discussion items that we're still working on.

1 MS. BLUM: Or burrowing animals. Gophers
2 are intrepid.

3 MR. ULLENSVANG: Six inches are not to
4 prevent either roots or burrowing animals.

5 MS. FANELLI: It's more for human health
6 barrier.

7 MR. ULLENSVANG: It could provide a starting
8 media for the plants. Let them get established as they
9 grow into the other material.

10 The actual thicknesses we still have to work
11 through with the specialists.

12 MS. BLUM: All right.

13 MS. FANELLI: We haven't gotten there yet,
14 but we figure that there's actually some stabilization.

15 You know, we want roots in there because it's
16 rubble. It has no -- besides its own weight, it has no
17 inherent strength. So actually the roots into the material
18 actually increase its stability. So that's a plus.

19 MS. CHEEVER: Sorry to ask such a basic
20 question, but I'm a little confused looking at this, how
21 these alternatives fit together.

22 For example, I guess 2B is an alternative to
23 2A, but would 2B be accompanied by 2C, 2D and 2E, and one
24 all alternative within each of those, or are they
25 alternatives to each other or what?

1 MS. FANELLI: These are each alternatives
2 for their respective area.

3 MS. CHEEVER: So if you had 2C, cover
4 placement, you wouldn't have seismic controls or grading?

5 MS. FANELLI: Correct.

6 MS. CHEEVER: Each one is a self-standing
7 alternative. Within each of the last three, there's three
8 options.

9 MS. FANELLI: Right.

10 MS. CHEEVER: Thank you.

11 MS. FANELLI: I think I actually did I
12 answer that.

13 MR. ULLENSVANG: If you look at the slope
14 area, there's eleven alternatives presented here for just
15 the slope area. Three similar -- 23 each of similars
16 system and then two others.

17 MS. CHEEVER: Okay. Thank you.

18 MS. FANELLI: That's the range there. Then
19 on landfill 8, we're also looking at alternatives there.
20 There's a cover alternative, land use controls, obviously,
21 even though I don't think it says on here, but there would
22 be. Most of these don't include removal of the rubble. So
23 there would be some type of land use control.

24 There's some consolidation proposed and some
25 grading to remove fill, particularly over some of the grave

1 sites and various here that we've looked at, including
2 clean closure.

3 FACILITATOR KERN: I noticed a couple other
4 questions. They may be on 10.

5 MS. FANELLI: Sorry.

6 MR. BERMAN: Does anyone have a reason of
7 what killed the trees on the face of 10?

8 MS. FANELLI: I'm not sure they're all on
9 the face of 10, but they're all on the edge there. I guess
10 probably the northern edge.

11 MR. ULLENSVANG: There's a number of trees
12 on the landfill.

13 MS. FANELLI: Do you know why those few
14 trees are dead that are above area E?

15 MR. ULLENSVANG: I don't.

16 MS. FANELLI: I have no idea.

17 FACILITATOR KERN: We've seen other trees
18 dead in landfills before. It could have been the
19 bulldozers nicking them. It could have been the material.
20 It could have been they were left high and dry or there's a
21 variety of -- I'm not sure.

22 MS. PASSERO: Did you do some sort of risk
23 analysis on each of these, like risk of failure? So if
24 you're going to spend three million dollars versus two
25 million dollars, but, you know, one has greater risk of

1 failure, instability versus, you know, another measure, you
2 have a million dollar difference, maybe it's worth the one
3 that has less risk associated with it versus the cheaper
4 one.

5 MS. FANELLI: Yes. It does come into
6 account. So what -- the next step for us to do is -- is
7 we're evaluating these; not just based on the dollar
8 amounts, but the next discussion that we're gearing up for
9 on Monday is looking at well, what does the data tell us we
10 have in terms of exposure risk?

11 We know what the COCs are and we know their
12 approximate concentrations. So that's exactly what we
13 would be doing is looking at what these do relative to that
14 and trying to come up with a -- you know, a -- certainly a
15 protective measure that's reasonable and necessary.

16 So we are doing that, and that piece is not
17 here.

18 Obviously we would have all that data. Once
19 we get through this process, we could do a whole
20 presentation just on the data and the analysis that we went
21 through.

22 This is just sort of -- this is realtime --
23 really, it is realtime information, and so you're seeing it
24 just as it was printed. The guy's working on it all
25 weekend.

1 MS. PASSERO: Okay. Thank you.

2 FACILITATOR KERN: Mark.

3 MR. FREY: I notice in your landfill 8
4 description there it says two feet of sand.

5 MS. FANELLI: Yes. We've corrected that.
6 It's three to five, average of four. And one of the
7 questions that are associated with that that we need to
8 answer is that from a restoration standpoint, we understand
9 that there's criteria.

10 There's a potential to have to have a -- a
11 different or contrast impermeability between sand and the
12 fill.

13 So you see a liner in there, and I'm not
14 quite sure. We need to get some input on that, and
15 hopefully that will happen on Thursday.

16 MR. FREY: It has come up in consultation
17 with the regional hydrologist and soil person.

18 MS. FANELLI: We understand it is three to
19 five. I understand it says two here, but we've corrected
20 that.

21 MR. BUDROE: Two questions. I know we
22 chewed over this a while back. But new construction, new
23 asphalt parking lot.

24 Who's going to come up with money for that?
25 The mediation or --

1 MS. FANELLI: Right now it's a cap. We're
2 considering it a cap to cover. So we have -- we have a
3 degraded deck there now.

4 So what we're looking at is how necessary it
5 is for grading that deck and upgrading the areas around it
6 that are now planted on exposed soil where you have --
7 there's soil, but there's rubble, basically, within a few
8 feet of the ground surface.

9 MR. BUDROE: Okay. Question number 2 on the
10 PHSH. Alternatives 2B and 2C, six inch soil cover is going
11 to cost more than a two foot soil cover.

12 That's not intuitive?

13 MS. FANELLI: It's because of the membrane
14 fabric that's included in one and not included in the
15 other. The fabric is that barrier for critters digging up
16 stuff, and so its placement actually has a higher cost, if
17 you will, than the soil.

18 MR. ULLENSVANG: I think there may be some
19 adjustments.

20 MS. FANELLI: We might be doing some
21 adjustments.

22 MR. ULLENSVANG: There are some assumptions.
23 It requires replacement or servicing. We didn't
24 necessarily agree on how that should be factored into the
25 cost.

1 MS. FANELLI: We were looking at --

2 MR. BOGGS: That's the same question.

3 MS. FANELLI: We were looking to capitalize
4 the O&M or keep it in O&M, but there is actually a higher
5 cost for getting that stuff. That's sort of a cost driver
6 in getting that material installed if it's necessary to
7 prevent gophers from bringing up --

8 MR. BUDROE: Okay. Because I got biotic bag
9 barriers listed for both alternatives.

10 MR. ULLENSVANG: This hasn't been fully
11 reviewed yet.

12 MR. BUDROE: It's still in progress.

13 MS. FANELLI: Right.

14 MR. YOUNGKIN: This is for the RAP? I mean,
15 this is part of Remedial Action Plan you're writing?

16 MS. FANELLI: This is the process for us to
17 review the data and try to come to consensus and agreement.
18 Let me --

19 MR. YOUNGKIN: We're not under feasibility
20 studies again, are we?

21 MS. FANELLI: No. If you remember this
22 timeline was presented to you, I guess when I first got
23 here in February, and it showed a little different timeline
24 before, but it started in February where we -- where we had
25 our kickoff meeting, basically, trying to get our arms

1 around the issues surrounding these sites so that we could
2 move on to RAP4.

3 So what we've been doing are these
4 stakeholder workshops to review data, identify the
5 technologies, come up and assess alternatives, identify
6 likely alternatives, agree on the path forward, and we're
7 hoping to do that for this May 22nd meeting. That's why
8 we've been really working quite hard.

9 Everybody's been fabulous. So that we could
10 make a recommendation at the next Summit meeting, and then
11 based on that feedback, any endorsements we get from the
12 attendees, move on to complete the documentation, whether
13 it's an amendment to existing feasibility studies, whatever
14 -- or it's data report, whatever that looks like, plus
15 draft the RAP, which would cover these sites plus the
16 firing ranges.

17 That might segue into the --

18 FACILITATOR KERN: I want to go back to
19 John's comment, if I could. On your comment on 1B, that
20 was raised in today's meeting about the cost of the parking
21 lot in that alternative, and if the alternative is really
22 that there's a parking lot there, what would it cost to
23 just put a soil layer? What would be the minimum
24 remediation costs?

25 So, I mean, that question is -- is part of

1 the mix.

2 Because you'll notice that if you look in
3 some of these, the covers can -- we're looking at what's
4 going to be really necessary, and then they're -- going to
5 Michelle's point, there may be some things that we want
6 that are important to have for the -- the look, important
7 to have for the -- the future of the site, but where do
8 we -- how do we draw the line between what's absolutely
9 necessary to be spent from remediation dollars and what
10 should come from another source?

11 And that's all part of the mix.

12 I think it has to be part of the ongoing
13 discussion. It's certainly part of what's being discussed
14 at landfill 8, as well.

15 One of the comments that has been made since
16 1994 is what about the cemetery? Are we going to leave
17 rubble over the top of the cemetery?

18 And so you'll notice that there are
19 excavation alternatives in there. Instead of removing all
20 the rubble, where that would mean getting down towards the
21 bodies, there have been a large number of test pits dug
22 there.

23 And so if you're going to put a three foot
24 layer of sand, the idea on some of these is to remove three
25 feet of the rubble, providing some measure of respect to

1 the bodies, and then putting the sand cover over the top of
2 that.

3 Eileen mentioned there's some consolidation
4 of some of the materials, as well. So there's a look at
5 trying to reduce costs, which we're all encouraging that to
6 happen, plus use the money as it should be used, which is
7 to clean up these sites in the best practical way.

8 So those things are being considered, and
9 we're going to make every effort to have some kind of a
10 recommendation by next Thursday, but that's the best we can
11 see. We can make every effort.

12 MS. FANELLI: I'm confident that we'll be
13 able to get there.

14 FACILITATOR KERN: Jan.

15 MS. BLUM: Would Presidio Historical
16 Association be one of the consulting parties on landfill 8
17 because of the burial site in terms of what happens and how
18 you preserve integrity of the site?

19 FACILITATOR KERN: This is still going to go
20 through the RAP process. It will still be out for public
21 comment, so -- but I think your point is really should we
22 be talking to them in advance of that?

23 And it makes no sense to do that, so that's a
24 reasonable --

25 MR. YOUNGKIN: This is kind of like one of

1 those scenarios where we lock you all in the room and we
2 don't let you out for --

3 MS. FANELLI: We might do that on Monday.
4 I've threatened it, but I might bring in pizzas and see
5 what we can do.

6 FACILITATOR KERN: So that's been the
7 process that we've been going through.

8 Does anybody have any comments?

9 I know you're just seeing it for the first
10 time, and I think the Trust is -- they've got all kinds of
11 people working their collective rear ends off to get us
12 information typically at the meeting, so we're reacting to
13 it at a meeting, and now we're bringing it to you fresh off
14 a meeting that we had ending at five o'clock today.

15 So I'd be very interested in any reactions
16 you have that we might carry into our meetings on Thursday
17 and our meetings on Monday trying to get ready for the
18 Summit meeting on next Thursday.

19 MS. CHEEVER: Well, I think the RAB
20 definitely supports the idea of not being extravagant and
21 understands all the financial constraints, but I do think
22 that historically we've tended to favor the environmentally
23 truer or better alternative.

24 So just for those going into this meeting, I
25 think our feeling would be if all else seemed to be

1 weighing equally, we would be going for the thing that was
2 better for the environment.

3 For example, maybe the larger -- the deeper
4 soil cover or the greater seismic improvement. So I just
5 would like to express that point of view.

6 The other thing I would like to ask in regard
7 to calculating the balance, whether all things are equal,
8 you mentioned about one part of the equation is who would
9 pay for it.

10 I'm wondering if it's easy to answer the
11 following question: Is things like the PHSH fill
12 considered newly discovered contamination? And if it is,
13 is the Army responsible for it? Because the Army wasn't
14 previously in charge of that site.

15 The reason I'm asking this is that may make a
16 difference how much money is available, or likewise with
17 questions about the 1B or the top deck.

18 Would this be coming out of remediation money
19 or would this be coming out of our city money? But to go
20 to my question about -- are there things at the PHSH site
21 basically that the Army would be responsible if they're
22 newly discovered or not?

23 MS. FANELLI: The Trust -- I think I
24 reported on this before. The Trust does have an open claim
25 with the Army on the PHSH fill area as an unknown site.

1 Does the Army agree with us? They haven't
2 shown overwhelming support yet, but we're still in
3 discussions about that.

4 MR. ULLENSVANG: And the agreement is blind
5 whether it's the Public Health Service Hospital area or the
6 rest of the Presidio. That merged into the Army's
7 jurisdiction before the deal was made.

8 MS. FANELLI: That's correct.

9 MS. CHEEVER: That answers my question.

10 MR. ULLENSVANG: That creates a special
11 fund.

12 MS. FANELLI: Right. So -- so we definitely
13 are in discussions with the Army about that site.

14 FACILITATOR KERN: Yes.

15 MR. CHESTER: I had a quick question on
16 the -- I'm trying to recall the layout of the area again,
17 but with the seismic stability, does that go to support the
18 future development of the building that's there, such that
19 whatever it's going to be redeveloped for, is the seismic
20 stability going to lend -- it's going to be covered as a
21 remedial cost, which then --

22 MS. FANELLI: Yes.

23 MR. CHESTER: To help shore it up for future
24 development so the developer doesn't have the pay for such?

25 MS. FANELLI: There's no risk to the

1 existing development from the land -- land side. It's
2 really more looking at a risk management decision about the
3 face of the landfill.

4 Currently, it is -- it has only potential
5 really for surface failures under a seismic event.

6 MR. CHESTER: This surface slumping.

7 MS. FANELLI: Yeah. Just the slope. So
8 that's part of the issues that we're discussing is is that
9 a risk that can be managed? Does it need to be remediated?
10 How do we deal with that?

11 FACILITATOR KERN: So there was an analysis
12 done that examined whether there would be a total massive
13 failure of the whole landfill, and that was deemed not to
14 be a problem. In a maximum incredible earthquake, which
15 was the --

16 MS. FANELLI: San Andreas.

17 FACILITATOR KERN: 1906 was 7.9.

18 MR. CHESTER: All right.

19 MR. YOUNGKIN: The groundwater hasn't really
20 come up in this discussion.

21 Has that sort of resolved itself somehow?

22 MR. BOGGS: We had the four-hour meeting on
23 that.

24 MS. FANELLI: Yes, we sure did, didn't we?

25 FACILITATOR KERN: Groundwater is being

1 considered separately from all these as a covering all the
2 areas simultaneously, because it's a little bit more
3 regional. So it --

4 MS. FANELLI: There will be monitoring.
5 We'll likely continue monitoring for a certain amount of
6 time.

7 MR. YOUNGKIN: So there's no groundwater
8 protection built into these alternatives? A guard well
9 situation kind of thing?

10 MS. FANELLI: Yeah. It's really to make
11 sure that we understand the impacts that -- are remedies,
12 particularly with the Mountain Lake pipeline, that we
13 haven't changed sort of the hydraulic dynamics of the area
14 in the process.

15 FACILITATOR KERN: Sam.

16 MR. BERMAN: This seems to be sort of a
17 stupid question, but is there any thought about that
18 relationship between these alternatives and what Forest
19 City does? In that sense, are there some better for them
20 or worse?

21 FACILITATOR KERN: I think that's not a
22 stupid question at all. We've been asking for and
23 receiving as their most up-to-date plans.

24 Some of their folks have come to the meetings
25 and talked about what they've been thinking about, and in

1 our discussions, they've learned oh, I guess we can't do
2 that, and what I'm thinking about is they were going to put
3 in some planter boxes that may have infiltrated into the
4 material, and that design is being scrapped. So there
5 won't be infiltration into the material.

6 But it's more of that kind of detail, and I
7 would say at this point, given all the things we're working
8 on, what -- we're driving a little bit more than they are.

9 MR. BERMAN: I was just concerned about
10 whether any of the land use controls that would be
11 considered would be compatible with whatever they're doing
12 with the connector.

13 MS. FANELLI: Yeah. We're not considering
14 land use controls that would make the project not viable
15 from their point of view.

16 MR. BERMAN: Yeah, but viable also has
17 dollars associated with it, too, and I'm sure that Forest
18 City is extremely conservative when it comes to doing
19 anything that they don't have to do in terms of money.

20 MS. FANELLI: Right.

21 MR. BERMAN: So -- and the question is -- so
22 -- the heart of my question, do any of these decisions or
23 the alternatives impact financially in some way on -- on
24 Forest City?

25 MS. FANELLI: Because of our agreement right

1 now, they're handling the connector fill issue, and that's
2 the primary financial issue. It is contamination on
3 Presidio property. It does need to be cleaned up.

4 They do have high lead, but it is fairly
5 localized, so they're pulling together their plans to do
6 that under the soil management plan.

7 MR. BERMAN: They're going to haul it away.
8 It's going to be a clean closure.

9 MS. FANELLI: That is correct.

10 MR. BERMAN: After it's done, they have to
11 do something with the -- with the vacuum that's left
12 behind, presumably.

13 MR. BOGGS: Yeah. They'll backfill it.
14 They are going for clean closure. So they're not
15 necessarily trimming their dollars the best they can, and
16 of course there's lots of consideration, time, process, et
17 cetera.

18 I think the difference to Forest City on the
19 various remedies being considered, short of clean closure;
20 i.e. excavating the landfills, which the Trust is declaring
21 they won't do.

22 Short of that, the difference for Forest
23 City's minuscule between the alternatives, because they all
24 end up with a land use control and they all end up in a
25 situation that's safe for the residents of the refurbished

1 hospital.

2 So I haven't seen them even show much
3 interest in the remedies for the other portion. They
4 really have focused on what's within their purview.

5 MS. FANELLI: One thing that I do want to
6 add, though, is this was fast-tracked because we are trying
7 to coordinate our work with their work, so we don't become
8 an impact to them financially, and so we are trying to get
9 our remedies agreed on and RAP5 done so that we can do
10 construction much when they're in construction so that
11 everything is happening simultaneously, and so that the --
12 so that they're not -- there isn't a conflict there.

13 So that is one -- and it still remains a
14 large driver of why we fast-tracked these particular sites,
15 to get a remedy decided upon so that we can get to
16 successful completion of the program.

17 So that does remain a driver, and as a matter
18 of fact, we will be working closely with them when we get
19 remedies, just making sure the design criteria for
20 utilities, et cetera don't conflict with what they're
21 doing, with what we're doing. All that work is coordinated
22 appropriately so that we can go forward.

23 FACILITATOR KERN: Yes. Gloria, and then
24 Michelle.

25 MS. GEE: So this is -- I know it's a work

1 in progress. So are you going to be doing -- extending it
2 like a matrix to say that, you know, in facilitating a
3 decision-making of the choices, which ones have various --
4 I call them drawbacks or something that you should
5 highlight so that anyone that comes in that has a stake,
6 you know, in the process or decision-making, they can see
7 really quickly well, what are the drawbacks of these
8 various --

9 MS. FANELLI: Yes. We likely will be doing
10 something like that. We were working on that other half
11 and will be the topic of our next meeting.

12 And what's nice about this process is that I
13 think Mark brought it up before. In a way, we're kind of
14 going verbally through the RI/FS process, and so we're
15 laying the groundwork for all of that reporting and all of
16 that documentation.

17 FACILITATOR KERN: Michelle.

18 MS. PASSERO: Just a couple thoughts that's
19 whirling around in my head. One is that how do you value,
20 you know, something that -- clean closure, I guess I see as
21 a permanent solution versus something, and the reason seems
22 to be emphasizing a little bit more slope area and involves
23 groundwater, and, you know, how do you adjust for that in
24 the evaluation, where you have clean closure and you have
25 that theoretically in perpetuity versus something that

1 maybe only goes out thirty years, and we don't know, and I
2 guess kind of related to that, then, is if I'm
3 understanding all the options together, wasn't there a
4 discussion on partial excavation?

5 Because regrading, that's sort of moving it
6 around. You're not really excavating, you know, getting
7 rid of some of it.

8 FACILITATOR KERN: There are those elements
9 in here. Like, for example, on 2, I think, B -- yeah. 2B
10 through 2E. I think in each one of those alternatives,
11 there's maybe about a thousand cubic yards taken out off
12 the face, pieces that can't be managed to just kind of make
13 it a clean face.

14 In some of these, there's some material
15 that's taken away, either put up on top or off-hauled to
16 grade back the slope.

17 MS. PASSERO: Mm-hmm.

18 MR. ULLENSVANG: But the alternative that we
19 had talked about two years ago, significant off-haul is not
20 included here other than clean closure.

21 MS. PASSERO: Okay. Because I thought there
22 was one.

23 MR. ULLENSVANG: There was one previously.

24 MS. PASSERO: It just didn't --

25 MR. ULLENSVANG: It's not here.

1 MS. FANELLI: We value it by looking at the
2 risk and what it does for you. Right now, there is some
3 risk, but it appears very manageable by a variety of
4 alternatives, and there's -- the thrust of the discussion
5 is how do we manage that risk in a reasonable manner. So
6 that's really how we get down and approach it.

7 FACILITATOR KERN: Well, I think I'm going
8 to just throw this out one more time so everybody really
9 understands where I'm going to be next Thursday.

10 The Park Service will come with a set of
11 values that they will argue between now and Thursday.
12 There will be several meetings.

13 DTSC and the Water Board have their issues.
14 The Trust certainly has their objectives with the
15 development and protecting the environment.

16 This will be a really good time to hear other
17 things like Julie's and Michelle's thoughts about -- that
18 would -- certainly we can bring to the meeting, for
19 example.

20 If somebody proposes an -- and I don't
21 anticipate this. If somebody said, "We're just not going
22 to do anything. We're just going to have land use controls
23 and keep people off this and just -- nobody's going to dig.
24 Nobody's going to plant nothing," like that, I'm sure I
25 would be countering that with saying, "That's not good

1 enough."

2 We definitely want to protect, say, from --
3 some of that face material from eroding and getting down
4 into Lobos Creek, and that argument has been made several
5 times.

6 Are there any other thoughts just off the top
7 of your head that you'd like to throw out there in terms of
8 values that you want to see argued for these sites?

9 MR. BERMAN: Is there any consideration -- I
10 guess -- it's really about future use, but presumably there
11 will be some -- there will be residences there in Forest
12 City and there will be cars and people walking around and
13 using these areas that are now to be treated in terms of
14 remediation.

15 So just looking from the point of view of the
16 interaction with the -- with the future residents of Forest
17 City, is there any difference in any of the proposed
18 remediations that would affect the use, the attitude of the
19 future occupants?

20 I mean, these are things I suppose if Forest
21 City would consider, but maybe they're not.

22 FACILITATOR KERN: Well, we've brought up at
23 least one thing in our meetings, the idea of kids that were
24 living in the units building a fort somewhere, digging in
25 the soil.

1 MR. BERMAN: Sure.

2 FACILITATOR KERN: All kinds of things that
3 all of us have either done or still want to do.

4 MR. BERMAN: You can take a place in Forest
5 City because you know a good wolf run there.

6 FACILITATOR KERN: So presumably that would
7 be covered by land use controls, but we don't know how many
8 kids read those things.

9 We also are going to have maybe -- it's
10 called biotic prevention covers, but all those things will
11 need to be maintained and looked at, but it's a good --
12 it's a good point, Sam.

13 MS. BLUM: Sam didn't mention snowboarding
14 downslope, which I'm sure would be very attempting to
15 almost everyone. It's the one that says: "Stay off this
16 sand pile."

17 MR. BERMAN: And remediation, there will be
18 planting of choya cactus. That will keep the kids away.

19 MS. BLUM: I don't think so, Sam. But my
20 statement is auxiliary to the remediation and has to do
21 with the wildlife values.

22 That's one of the richest areas of the
23 Presidio, and I have been disappointed to say the least in
24 the policy of the Trust in maintaining any control over the
25 tenants or the off-leash dog contingent, and I -- I do

1 believe that everything that needs to be done, preserved,
2 what remaining wildlife in that area should be done and
3 that it needs to be enforced with the tenants and it just
4 should be part of the process.

5 We've heard promises, but, you know, nothing
6 is really happening that amounts to anything. So I would
7 say if anything, if I felt anything strongly, it would be
8 to make that area as beautiful as it can be, because it is
9 in area A, it is a riparian corridor and animals go there
10 for water.

11 It should be a great native plant community.
12 We have a tremendous amount of bird life behind the
13 hospital where landfill 8 abuts, and I would just hope that
14 those kinds of conversations take place when we're cleaning
15 this area up, that we also protect it.

16 FACILITATOR KERN: Thank you.

17 Julie.

18 MS. CHEEVER: I'll add one more value to
19 build on, what Jan and others have said.

20 I want to put in a pitch for the Lobos Creek
21 dunes area, I think it's called, and the face of landfill
22 10 is really is eastern edge of this area, and that is a
23 very important area to the public because it's not part of
24 the Forest City development.

25 It's a public area, wildlife area and a place

1 where people walk for recreation.

2 So I think it's very important to do whatever
3 is needed to make the face of landfill 10 a good part of
4 the Lobos Creek dune.

5 When you mentioned land control only, that's
6 not a very -- I know it won't happen.

7 I'm not really sure which of these
8 alternatives best enhances the Lobos Creek dunes, but I
9 hope that people like representatives of the RAB and the
10 Park Service who are there will speak up for whatever
11 options do that best.

12 FACILITATOR KERN: We'll be making an effort
13 to do that at the meeting.

14 MR. BERMAN: Do you think formally when you
15 come to a decision as to which of the alternatives you --
16 you actually choose, that at that meeting, that it would be
17 a good idea to have -- definitely have Forest City there
18 and have them sort of nod their heads? Just in terms of --
19 of --

20 MS. FANELLI: We do coordinate with them.
21 They're not sitting at the table actively -- they were when
22 -- they have been.

23 They haven't recently because they're working
24 on their soil management plan, but we have a contract,
25 contractual relationship with them.

1 So we do work very closely with them on the
2 decision and share those comments back and forth.

3 MR. BERMAN: Right, but I was just thinking
4 when you came to the final decision, that you sort of
5 informally had them sign off on it.

6 MS. FANELLI: That's a very good point, and
7 I think we should. I think we should. So I'll put that
8 forward.

9 That contract is not managed out of the
10 remediation department. It's out of our Planning
11 Department, but I think it's a very good point you're
12 making.

13 FACILITATOR KERN: John.

14 MR. CHESTER: What is GCL? On like landfill
15 8, 3B or -- actually anywhere in --

16 MS. FANELLI: It's a geosynthetic material.
17 It's a liner, and I -- it may not be in there accurately.
18 It was a concern from a hydraulic standpoint.

19 So it may not be necessary, but it is a -- it
20 is a --

21 MR. CHESTER: It's a textile.

22 MS. FANELLI: It's a textile.

23 MR. CHESTER: And a six inch cover -- say in
24 landfill 10. Six inch cover, it's not a barrier for
25 exposure, or is it?

1 MS. FANELLI: It would serve as a barrier.
2 It has an erosion control measure. It depends on what kind
3 of controls you put on it.

4 So you wouldn't have people in direct
5 contact, then, with the slope. There would be a slight
6 barrier depending on what they were doing.

7 Obviously if they dug deeper than six inches,
8 it wouldn't be a barrier anymore, but it also serves to a
9 certain extent as erosion control layer so that we can
10 protect the rubble fill from eroding.

11 MR. CHESTER: It doesn't seem like six
12 inches -- I don't know about historic experiences, but six
13 inches on a slope doesn't last too long.

14 Maybe it stabilizes in some way --

15 MS. FANELLI: That's why there's a couple of
16 different liners there. There's materials that are used to
17 help with that erosion control.

18 MR. ULLENSVANG: All of the areas with
19 shallow soil have reinforcements in the soil.

20 MS. FANELLI: Right.

21 MR. CHESTER: Okay.

22 FACILITATOR KERN: Well, very good. This is
23 not obviously your last bite at the apple by any stretch.
24 We're going into this process, trying to reach consensus
25 and bring some good concepts to the Summit meeting.

1 We still have a number of meetings to go
2 before then and we're going to do our best to come up with
3 those recommendations.

4 And then those recommendations have to go
5 through a process. Still going to hear all about that.

6 FACILITATOR KERN: All right. That is -- do
7 you have other --

8 MS. FANELLI: I do.

9 FACILITATOR KERN: -- slides that you
10 can --

11 MS. FANELLI: Let's see. What do I have
12 here? We went through the slides -- I have RAP3 slides if
13 you're interested in a quickie update on RAP3.

14 FACILITATOR KERN: Yes.

15 MS. FANELLI: Photos. Stuff that we're
16 doing here.

17 Okay. All right. So this one I think you've
18 seen before. We're in construction. The first schedule I
19 think we had given you was February to December were -- we
20 actually started March and we're projecting an early finish
21 right now in October, and I think we're going to try to be
22 out of the field by August. So that October would be the
23 follow-up paperwork.

24 Sites under construction and percent
25 complete. This comes from Ryan. Zero means we haven't

1 gotten there yet. We are a hundred percent done with the
2 railroad tracks, with the coal storage area.

3 We're getting close on sewer lift station and
4 building 680 and building 1167, and you can see that we're
5 starting some of the other sites.

6 I was asked about budget. We haven't
7 actually received a lot of invoices for this work yet from
8 Pacific States or Geomatrix, but I can't tell you exactly
9 where we are.

10 I can tell you that at the sewer lift
11 station, we have approximately seven times the expected
12 amount of soil to get rid of. There's a likelihood that
13 we'll have to send it off as class I because of voluble
14 lead.

15 Building 662, we had that surprise two oil
16 drums under the ground. I have a photograph of that for
17 you.

18 So that's increased our soil volumes. We
19 really have a problem with voluble lead at the Presidio
20 because it ends up not necessarily having increased soil
21 volumes, but because we have to get rid of it as class I
22 waste, it increases costs.

23 Let's see some pictures. Here's our I guess
24 closed railroad tracks site. It's already repaved. There
25 were a couple areas there that were excavated next to each

1 other.

2 MS. BLUM: Eileen, is this Thornburg?

3 MS. FANELLI: No.

4 FACILITATOR KERN: That was behind the
5 Crissy Field Center, actually.

6 MS. FANELLI: Oh, I do have for you, too --
7 and I can through pictures -- an updated status table that
8 I'll pass out, and then a map -- I guess last time I gave
9 you a table and it didn't have the numbers, and so there
10 was a disconnect.

11 Well now there's a map with the numbers of
12 the sites and a table with the numbers at the site. So
13 that you can follow along.

14 Building 1351, Brian, I always need help with
15 remembering what these different buildings are for, and
16 this is the one that we were speaking about today.

17 MR. ULLENSVANG: That's right.

18 MS. FANELLI: This one's in progress now and
19 we're going to do some additional excavation, and our
20 contaminant of concern is --

21 MR. ULLENSVANG: I think in this location is
22 metals.

23 MS. FANELLI: Is metals.

24 MR. BOGGS: That's acid neutralization.

25 MS. FANELLI: This one, yeah. There was a

1 pipeline that went to the acid neutralization vaults in
2 here. We're excavating it and we're going to do our
3 confirmation sampling.

4 This is area 3.

5 MR. ULLENSVANG: So that's about where the
6 photograph person was standing to shoot the previous
7 photographs looking in different directions.

8 MR. BOGGS: 180 degrees opposite.

9 MS. FANELLI: This is the utilities are the
10 features of this site.

11 MR. ULLENSVANG: The drainage area.

12 MS. FANELLI: This is building 662, and
13 we're looking in the hole where the drums were discovered
14 that had petroleum product in it, and you can see some
15 cobblestone pavers that are likely historic next to them
16 that we broke through, and so that's just a complication of
17 the excavation and we're working through that issue now and
18 continuing to excavate this site.

19 And I think that's all the pictures I have.
20 These are the ones that are currently under work now.

21 FACILITATOR KERN: So that last one with the
22 cobblestones, we had an update today that they needed to
23 dig a little bit deeper. The contamination was found in
24 the bottom, additional staining, so that particular site is
25 expanding a little bit.

1 MS. FANELLI: Right. So we'll probably do a
2 ten by ten kind of construction there. We'll break into
3 the concrete and we'll have to consult with our historical
4 folks on the -- on the cobbles, but --

5 MR. BOGGS: You also have work at 1167, but
6 there's no pictures.

7 MS. FANELLI: Right. I didn't have pictures
8 of 1167. We talked about that last time, but we're going
9 to get that shored up and do our final excavation on that
10 next week, as well.

11 So there's actually quite a bit going on next
12 week at these sites, and -- but we are at this point ahead
13 of schedule, which is a good thing.

14 MR. BERMAN: So are you planning to give a
15 little review of the RAP3 status at the Summit meeting?

16 MS. FANELLI: Yes. Time allowing. It's at
17 the end of the schedule -- at the end of the agenda.

18 MR. BERMAN: Because it's -- also serves as
19 a good example of the difficulty of dealing with the CERCLA
20 site, with the unknowns.

21 MS. FANELLI: Yes.

22 MR. BERMAN: And demonstrates that even
23 though still full planning was done, there are
24 contingencies that you cannot really plan for, but they
25 also end up increasing the cost.

1 So you never find a site that's -- where you
2 thought it was contaminated and it wasn't.

3 MS. FANELLI: That's right. That's a good
4 point. This is a very good example.

5 Nobody knew that those two drums were in the
6 ground. So we are going to cover that.

7 So I guess you want to cover the Summit
8 agenda.

9 FACILITATOR KERN: Yeah. Just a quick
10 review. It will principally start out with RAP4. This
11 very same process that we'll review it, we'll talk about
12 how we got to these alternatives and the concept is to have
13 something that we're going to at least propose a concept.
14 The details may need to be worked out.

15 Even today, at the end of today's meeting,
16 there were some discussions about a particular alternative
17 that began to generate even yet another alternative that's
18 not on here, and we kind of expect that to happen.

19 So these are not set in stone.

20 So we're going to review landfill 10, then
21 landfill 8 and the firing ranges. We want to talk a little
22 bit about the -- the financial part of the -- of the
23 program and a little look forward.

24 We don't have too much of that worked out
25 yet, but we're going to still talk about that before the

1 meeting.

2 We'll end with the RAP3. There's
3 something -- something in my mind that I'm --

4 MS. FANELLI: Mountain Lake.

5 FACILITATOR KERN: Mountain Lake. We're
6 going to do an update on Mountain Lake.

7 MS. FANELLI: Whenever we do present at the
8 Summit on the looking forward, I would be presenting to you
9 at the next RAB meeting. That would be on our current
10 master schedule, which we're going to use to update the
11 virus tour schedule, and our further financial analysis of
12 how we're going to complete the program. So you can look
13 forward to that.

14 MR. BERMAN: And who's going to be the note
15 taker?

16 MS. FANELLI: Usually Genevieve takes notes
17 with the help of --

18 MR. ULLENSVANG: Laura.

19 MS. FANELLI: -- Laura. At the summit
20 meeting.

21 MR. BERMAN: Is there running tape, running
22 audiotape?

23 MS. FANELLI: No. There's not.

24 FACILITATOR KERN: Jan.

25 MS. BLUM: Back to the money. Is there any

1 discussion -- let me just start over again here.

2 At the Summit meetings, I know you probably
3 had discussions about the cost -- or the underfunding of
4 the cleanup of these sites, and I would hope that there are
5 some -- also some brainstorming sessions that go on rather
6 than just capping, which is kind of the underlying message
7 that I hear, in order to meet the budget that we have, that
8 there would be some brainstorming that goes on among all of
9 the talented parties that attend that meeting about how to
10 -- how funds could be raised so that we could clean close
11 as many sites as possible by raising other funds for this
12 effort.

13 I think so many of us care that this is a
14 national park and the idea that we would leave waste in
15 site is really unacceptable on a very basic level, and for
16 all time, it would be cleaner and safer if we could get all
17 of the stuff out of here instead of capping it.

18 So I would just urge you to continue to look
19 at inventive ways to bring the public into fund raising
20 and/or to scrape the bottom of the barrel of all the
21 federal agencies and maybe put a plan in place next year
22 when we may have a change in administration and attitude.

23 FACILITATOR KERN: I think that's -- that's
24 right, Jan. Even today, I can tell you on that point -- I
25 don't think I'm speaking for Brian, but when we got to the

1 complete excavation alternative for landfill 8, we started
2 looking into that and saying, "Well, it's not really
3 overpriced given some of the assumptions that you have in
4 it. Can we cut back some of those things?"

5 So we're still working on it -- on that, even
6 today. We were talking about that.

7 I have to admit that for landfill 10, given
8 how big it is -- and that the current projection I think is
9 over fifteen million dollars to excavate it. It hasn't
10 been talked about a lot.

11 Also, given that there is a need for the
12 parking, this PHS fill site has many iterations of
13 filling, and I think in one meeting, we actually joked that
14 well, if we did do complete excavation, we'd have to build
15 an actual bridge from 15th Avenue to get to the building,
16 since it would drop well down --

17 MS. FANELLI: You might have to do it on
18 14th Avenue, too. It would be a shallower bridge, but it
19 would still be a bridge.

20 MS. BLUM: Well, my remarks were not
21 necessarily as much as Public Health Hospital, but the site
22 in general.

23 FACILITATOR KERN: Toni.

24 MS. KRAMER: In terms of the different
25 projects and the costs associated with them, what level of

1 cost is plugged into the 152 million for these sites? Were
2 they --

3 MS. FANELLI: They're not related at this
4 point in time. The original 1999 budget had a couple of
5 million. It's been re-estimated as high as eleven million
6 in the last quarterly report.

7 So there's a wide range in there, and things
8 like PHSH fill have no budget associated with it at all in
9 either budget. Because it wasn't known at the time.

10 FACILITATOR KERN: Julie.

11 MS. CHEEVER: I had another thought with
12 landfill 8 and 10. Certainly discussed a lot in the past.
13 Especially landfill 10, we may not be talking about clean
14 closure, which at one point I think we had as a dream.

15 That has been sort of a concession, and the
16 remaining alternatives, there's not really a huge
17 difference in price, or the cost of those is so much less
18 than clean closure.

19 I would think that that would be an argument
20 for going to whatever the most environmentally clean and
21 pure of the remaining alternatives is.

22 FACILITATOR KERN: It's a -- it's a great
23 point, Julie. In fact, I was making a similar argument
24 today myself, in that when you look at these and the
25 combinations, some of them may add up to about five million

1 if you look at the top and the slope and the PSHH fill. It
2 adds up to about what we had previously.

3 So -- and particularly with landfill 8, it
4 has also been budgeted at well over five million dollars at
5 different times.

6 So I think there's wiggle room in here for
7 negotiating is the way I guess I would put it.

8 Other thoughts or comments?

9 MR. BERMAN: I'd like to comment a little
10 bit about Jan's point, which is it's a beautiful concept to
11 take everything out and have it as pure as possible, but in
12 many cases, the level of contamination is fairly low risk,
13 at which case the dollar -- it does make sense to look at
14 the dollars versus the risk.

15 I think if -- if you were leaving behind
16 carcinogenic materials and potentially something where,
17 yes, a giant earthquake could give a release and -- a
18 portion of the Presidio would be filled with carcinogens,
19 yes, I think you could make that argument, but eventually
20 economics has been -- plays some role in your overall
21 ethical position, because we don't have an infinite budget.

22 And so I think in principle, we would all
23 love to see a totally clean Presidio, but if there's some
24 areas where the risk -- the contamination is low risk, then
25 -- and the difference -- like in 10, the difference between

1 excavation and some of the measures is maybe ten million
2 dollars, which -- and a project that's well over a budget
3 and maybe way over budget when everything is considered,
4 that -- I don't think we should really feel guilty or bad
5 about having made a decision to leave some things in the
6 ground.

7 So, you know, I like your principle, but we
8 have to be a little bit pragmatic without feeling guilty.

9 MS. BLUM: I'm not going to fall on the
10 sword on the Public Service Health Hospital. I'm saving
11 myself for a later date.

12 FACILITATOR KERN: Well, it is -- it is true
13 that in these meetings, the primary concern that I've been
14 bringing up -- and many of the other members of the team
15 have been looking at protecting Lobos Creek.

16 Over and over again, we've been trying to
17 make sure that we weren't going to have a release to the
18 drinking water supply and the habitat there, and that's
19 been really a central guiding principle.

20 I think that's what's helping drive moving
21 that connector fill piece. Certainly it's helping get that
22 Mountain Lake overflow pipe fixed.

23 We dug a lot of test pits and we all got to
24 look at them. There's no green gook coming out of that
25 stuff. It seems to be relatively -- it's not clean fill.

1 It's rubble and other things there, but it's -- it doesn't
2 appear to be highly contaminated, acutely contaminated.

3 MS. PASSERO: Just that stuff. I guess the
4 only thing I would just say, aside from agreeing with what
5 Jan was saying -- and I appreciate Sam's comments, but
6 we're not just deferring the costs and that, you know, we
7 pay less now, but pay more later because of maintenance and
8 whatever reason.

9 And so, you know, how do you adjust for that
10 when one approach is clean closure and pay more up-front,
11 but you have that in perpetuity, versus something that has
12 to be maintained over time and has costs associated with
13 that that go well beyond years and just making the next
14 generation pay for it.

15 MR. BUDROE: Hey, it works for the current
16 administration, right?

17 MS. PASSERO: Yeah.

18 FACILITATOR KERN: Very much appreciate
19 everybody's comments tonight on these sites, and we'll have
20 more opportunity to comment as we go down the road.

21 Those are the principal things that we've
22 been working on, and we're going to head into the Summit
23 meeting next week, hopefully relatively in agreement as
24 much as we can. We'll see how that works between now and
25 then.

1 Are there any other -- let's see. We've got
2 to hear from the regulators. Anything tonight?

3 MR. BOGGS: Nothing.

4 MS. FARRES: No.

5 FACILITATOR KERN: Action items that I have
6 are looking to contact perhaps the Presidio Historical
7 Association on landfill 8.

8 I heard several people comment on the six
9 inch soil layer, and I'm gathering as I listen to that
10 whether that's really passing the basic does this make
11 sense test, whether six inches is enough cover to last for
12 thirty years.

13 It's a good question that we need to revisit,
14 and the O&M versus clean closure, generally looking at
15 that.

16 MS. KRAMER: And I think Michelle said
17 something about also it would be helpful to know what the
18 risks are or the drawbacks to some of the cheaper options
19 that appear to be all somewhat the same other than clean
20 closure.

21 FACILITATOR KERN: Indeed. Genevieve is
22 creating a -- a large table that should encapsulate that
23 for the Monday meeting, and then I'll get revised -- we
24 should be able to share that with the group, and I think,
25 Gloria, you mentioned the same thing, yeah.

1 MS. PASSERO: Just understanding why that
2 other option that was mentioned two years ago about the
3 partial excavation, why that didn't work out.

4 MR. BERMAN: I think one of the things that
5 was behind the partial excavation was that the -- I thought
6 that there was -- I thought that there was a difference
7 between the materials at the top and those at the bottom.

8 And so it made some kind of hazard sense to
9 take off the top, but I think it's been discovered that
10 it's not that way, that it's more homogeneous now.

11 Right?

12 FACILITATOR KERN: Actually, I don't think
13 it's homogeneous, the materials. It's pretty much been
14 these small episodes of dumping, and --

15 MR. BERMAN: I meant homogeneous --

16 MR. ULLENSVANG: One area that's been
17 determined to have a preponderance of more contaminated
18 area than another area. It's very heterogeneous, but
19 there's no area that stands out as being more closely
20 different than another area.

21 FACILITATOR KERN: That's right.

22 MR. BERMAN: Right.

23 FACILITATOR KERN: I was thinking more like
24 the material. But the seismic analysis is kind of a whole
25 new look on it, and instead of the whole thing failing now,

1 it seems to have been pretty much confirmed that there
2 could be a localized sloughing.

3 So I think when we look at that, we really
4 have to ask ourselves in this sort of maintenance issue --
5 that's going to be where there's a real tradeoff. How much
6 money do we want to spend, so when there's a 7.9
7 earthquake, do we want to spend all that money to keep this
8 landfill in place or to save some of that and do some other
9 things at some other places in the park and deal with, in
10 the case of an emergency, some localized sloughing.

11 I certainly proposed in the meetings the
12 scenario that if there is such a big event and we had a
13 sloughing that heads towards Lobos Creek, since we can
14 predict that's going to happen, we ought to be prepared to
15 deal with that so we don't have three or four years or
16 rains on loose material washing it into the drinking water
17 supply, that we ought to have a plan in place to deal with
18 that sloughed material, so it just doesn't sit out there
19 and cause exposure.

20 So we need to see how much that would cost to
21 have something like that.

22 I think -- I'm not sure that's included yet
23 in the cost, but --

24 MR. BERMAN: Isn't that part of a more
25 complicated problem? If you had a 7.9 quake, the question

1 is what would the effect be on Lobos Creek itself?

2 Lobos Creek may not be there after a 7.9
3 quake.

4 FACILITATOR KERN: With houses.

5 MR. BERMAN: I think to make that study in
6 isolation of the effect of a -- of a large seismic event on
7 Lobos Creek itself really doesn't make sense, Doug.
8 Because I don't think --

9 FACILITATOR KERN: We should have that
10 discussion off-line, but --

11 MS. FANELLI: Management plans would be put
12 into the O&M costs and some type of cost factor for dealing
13 with a slumping event and maintenance.

14 Those numbers should be in there, and we can
15 look at O&M costs, Michelle, over time and compare the net
16 value of those costs over any time frame relative to a
17 capital cost. So that analysis is doable.

18 FACILITATOR KERN: Are there any other items
19 for the good of the order? Thanks very much, everyone for
20 coming out tonight.

21 Without objection, meeting adjourned.

22 (The meeting adjourned at 9:12 PM).

23 ---o0o---

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25

1 STATE OF CALIFORNIA)

2 COUNTY OF SAN FRANCISCO)

3 I, the undersigned, hereby certify that the discussion
4 in the foregoing meeting was taken at the time and place therein
5 stated; that the foregoing is a full, true and complete record
6 of said matter.

7 I further certify that I am not of counsel or
8 attorney for either or any of the parties in the foregoing meeting
9 and caption named, or in any way interested in the outcome of the
10 cause named in said action.

11 IN WITNESS WHEREOF I have
12 hereunto set my hand this
13 2nd day of June,
14 2008.

15 
16 _____
17 MARK I. BRICKMAN CSR 5527
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PRESIDIO RESTORATION ADVISORY BOARD MEETING

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, JUNE 10, 2008

LOG CABIN

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: DAWN E. HOWARD, CSR
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ATTENDEES

RAB Members:

Mark Youngkin, Facilitator
Eileen Fanelli
Brian Ullensvang
Agnes Farres
Peter O'Hara
Sara Segal
Jan Monaghan
Julian Hultgren
John Budroe
Julie Cheever
John Chester
Jan Blum
Kevin Whilden
Toni Krame
Bob Boggs

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BE IT REMEMBERED that, pursuant to Notice of
the Meeting, and on June 10, 2008, at the Log Cabin
Building, Presidio of San Francisco, California, before
me, DAWN E. HOWARD, CSR No. 13201, State of California,
there commenced a RAB meeting under the provisions of
the Presidio Trust.

---o0o---

1 FACILITATOR YOUNGKIN: Welcome to the regularly
2 scheduled meeting of the Presidio Restoration Advisory
3 Board. Doug Kern is the regular facilitator. He's in
4 Hawaii scuba diving. So I'm taking his place tonight.
5 My name is Mark Youngkin, committee cochair. We have a
6 new court reporter tonight so turn your name tags
7 towards her.

8 Does everybody have a copy of the agenda? Any
9 discussion of the agenda items, any new items? I see
10 none.

11 The announcements and old business.

12 MS. BLUM: As I'm sure everyone in this room is
13 very well aware, the Presidio Trust is currently making
14 very large changes to the main post. And I've got the
15 handout up at the desk explaining how the Presidio Trust
16 will be holding open houses to walk you about in an hour
17 and a half trip around the Presidio to explain the
18 various changes that they have planned. And you will
19 have an opportunity to make comments probably at that
20 walk about. And if you can't make that, there's
21 information on the sheet about how you can download the
22 information about changes. And I encourage everyone to
23 make comments to inform themselves about the size of
24 this change to the main post, because it's going to be
25 quite large, and you shouldn't be surprised when at the

1 end of the day, and to engage in this activity. Thank
2 you.

3 FACILITATOR YOUNGKIN: Are there any other
4 remediation sites involved in this?

5 MS. BLUM: Well, the -- not remediation, but
6 the archeology site, the older site on the Presidio, is
7 where the Officer's Club is located. That's called El
8 Presidio. So that will be a fairly substantial change,
9 I believe, that the Presidio Trust is also -- not only
10 going to run the archeology lab out of there, but
11 they're also planning to make that the history center
12 and a social venue and an art center, which seems like
13 it could yield one small property.

14 So if I could say anything at all, I would say
15 inform yourself about the size of the buildings that are
16 planned, where they are going to go, try to get a grasp
17 of the effect they will have on the landscape.

18 MR. HULTGREN: Hey, Jan, this is all sounding
19 pretty good to me, the things they're planning, but I
20 don't think this is an item that is really within the
21 jurisdiction or the overview of this committee. So I
22 would suggest that we just go on with the regular
23 program.

24 FACILITATOR YOUNGKIN: Okay.

25 MR. HULTGREN: I was just going to ask Jan if

1 so I've got to caveat that it's not a --

2 FACILITATOR YOUNGKIN: Right.

3 MS. FANELLI: -- remediation department-led
4 meeting. So I'll let you know what I can say about it.

5 FACILITATOR YOUNGKIN: If anything big happens.

6 Building 207/231, we talked about that for a
7 while, the work plans and completion on that, possible
8 construction this year.

9 Let's see. We talked about the agenda items
10 for this meeting. That's about it. Thank you.

11 MS. MONAGHAN: I was asked to bring a thank-you
12 card for anybody who wants to write David a note. I'll
13 pass it around.

14 FACILITATOR YOUNGKIN: Great.

15 MS. MONAGHAN: And then I'll mail it to him.

16 FACILITATOR YOUNGKIN: Okay. Any more
17 questions about the planning committee?

18 Moving on to reports and discussions.
19 Quarterly financial report, Eileen Fanelli.

20 MS. FANELLI: Actually, the presentation I have
21 combines the financial report with the status of the
22 RAP3, RAP4. It incorporates many of the slides shown at
23 the summit. And there's a fair number of them, and I
24 tried to add a fair number of pictures of the work. And
25 I apologize for not having the remote working. So if

1 and reimbursables that we haven't received through Army
2 claims and insurance. The top biggest costs last
3 quarter were for Baker Beach 1, Baker Beach 2A. That's
4 not a surprise. Those are just the legacy costs coming
5 in from those two projects.

6 We spent a fair amount on Landfill 10, and we
7 saw those invoices that were reflective of the
8 fast-track investigation work that we have done out
9 there. We also did a fair amount of excavation work and
10 cleanup on Building 1065 area and 1349. So those were
11 the main projects that had outflow.

12 The biggest changes in our estimate at
13 completion -- each quarter we update our cost to
14 complete. We are, as we've discussed, getting a little
15 bit more robust in our approach on how we do that.
16 We're in transition. The costs that have changed the
17 most are Building 207/231, as I've mentioned in the
18 past. That is currently estimated at higher than what
19 we had originally budgeted.

20 Feasibility Study: Actually, that's an older
21 program cost. It's the main postfeasibility study. But
22 as we update our master schedule and do some
23 reevaluation of our cost, that's where we're
24 accumulating them.

25 The Master Integrated Schedule is a component

1 of that. And there, our interest income fluctuates. So
2 we actually had a little bit better return than we
3 estimated last quarter that we were going to have.

4 Okay. So basically that's the financial report.

5 I have detailed costs per projects. I don't
6 have them in this presentation. We are updating them.
7 And the goal is for the third quarterly financial
8 report, which was also sent out to the RAP, we would
9 include a lot of that detail that we historically
10 included but I did not send out with this particular
11 cost estimate.

12 RAP3. Okay. So you know the story of RAP3.
13 We have 12 sites that we're basically in construction
14 on. We began construction back in April. The contract
15 gives the contractor, I believe, all the way through the
16 end of the year, maybe into the beginning of February or
17 January, and with the report completion following.

18 The contractor submitted a schedule to us, and
19 I think a couple of meetings ago we presented that. And
20 they said that they could get done in November. At this
21 point, we're actually anticipating being ahead of
22 schedule and being substantially complete, out of the
23 field, in the August time frame, which is good news.

24 These are the sites that are under construction
25 and an update on our estimate percent complete: So far

1 we have finished three sites completely: Building 1167,
2 the Coal Storage Area, and the Railroad Tracks Area.
3 Those are 100 percent complete. We excavated and
4 backfilled in there. They're closed, from a fieldwork
5 standpoint.

6 We are nearly complete with the Sewer Lift
7 Station 1. It's one of the sites where we've had some
8 increases in soil volumes. So we've gone out there a
9 couple of times to do overexcavation. We're looking at
10 increased cost from that site primarily because of
11 volume and because the lead is soluble. So when we haul
12 it off-site, it will go out as a CalHaz waste.

13 We're almost complete with Building 1351 and
14 Building 680. And the other sites are coming along.
15 We're currently in the field at the Nike Facility.

16 This is a table I've handed out, I guess, in
17 hard copy last time. And we modified it slightly, just
18 to give you an idea of the soil volumes that we've been
19 dealing with so far. So you can see that for many sites
20 we haven't started yet, but we're not necessarily
21 estimating a change in soil volume. But for Building
22 1351, we actually think we might be a little bit under
23 our soil volume estimate.

24 We're definitely going to be over by many yards
25 on Sewer Lift Station 1. We estimated 90, and we're

1 already at 740. We're going to be a little bit over on
2 Building 680 as well. It's likely that those increases
3 will cause us to be over our original budget, but we are
4 also realizing some savings just from the amount of time
5 that we're in the field and some efficiencies that we've
6 had in our confirmation sampling.

7 This is a picture of Building 680, the
8 transformer area. This site is going smoothly,
9 primarily because, I believe, we did a lot -- oh, no, we
10 didn't on this one. This site does have some
11 overexcavation. We're going to go back out -- I think
12 one more time, is our hope -- and then we'll be done
13 with it. But we are following the PCBs at this site.

14 This is just some of the issues that we have to
15 deal with. You can see that there's some bracing on
16 this high-voltage line that's encased in concrete. That
17 we have to support and be careful as we go through.

18 This is Building 1167. We actually had lower
19 soil volumes at this particular site because we did not
20 need to go as deep as we thought we might have had too.
21 But we did have to go very close to the buildings. So
22 you can see some of the efforts that we have to employ.
23 You can see that steel beam that is hanging off of the
24 bucket of the backhoe. And we used that to brace the
25 foundation of the building so that we could excavate

1 what's adjacent to the building's foundation. That's
2 looking down into it. The beam is under the fellow's
3 foot, near the rope there. There's the beam in place.
4 It has since been removed. We backfilled it when we
5 closed out this site. We did a lot of this work because
6 the building, as you can guess, is historic. And so we
7 don't want to damage it.

8 This is Nike Swale. We're working at Nike
9 Swale and at the Nike Facility. Work here is going to
10 follow certain areas, and then we're going to have to
11 stop. We're having to stop because of nesting birds.
12 It is bird-nesting season. And so we go out with our
13 natural resources folks and we do a survey. Three days
14 before we excavate, if there's a threat of nesting
15 birds, then we need to leave that area alone. So this
16 is an area where we did get clearance.

17 What you see here is basically the removal of
18 ice plants, so that was a good job. And then we're
19 going to follow up and excavate the areas that we need
20 to. The areas -- the shrubs in the distance we roped
21 off; we're not going out there. We do need to do work
22 in there, but that will likely not happen until after
23 August 1st. Another picture of us kind of clearing and
24 prepping the area.

25 And I think that's all I have of pictures.

1 MR. HULTGREN: Eileen, I have one quick
2 question about the current ongoing work. Is the
3 increase in fuel prices having any impact?

4 MS. FANELLI: It's not on the bid prices. It
5 will in the future costs, I'm sure. Once it's bid,
6 they're locked in. So we got the bids a while ago.
7 They reflected the costs at the time, or what the
8 contractor anticipated his costs we're going to be. We
9 do see it in time-and-materials contracts. So CM work,
10 construction management work, that's on time and
11 materials where there's vehicles involved. We do see
12 those, those real-time fuel charges. But we're not
13 seeing them right now in hauling, because we've gotten
14 that all contracted at unit rates that are set by
15 contract.

16 MR. WHILDEN: Eileen, I have a question on
17 that. Do you have an idea of how much fuel is actually
18 used in the process?

19 MS. FANELLI: No, I do not.

20 MR. WHILDEN: That was one of the things I was
21 interested in, was learning more about the total fuel
22 consumption in terms of the total greenhouse gas impact,
23 as well as the toxic emissions from diesel.

24 MS. FANELLI: We have not historically kept
25 records. We know how many truckloads. We know where

1 they're going, but we haven't done an analysis or looked
2 at fuel usage or the age of the contractor's trucks or
3 things like that. But I understand that that is an
4 interest. It's certainly something that could be done
5 and looked at.

6 MR. WHILDEN: Sure. It may be relevant in
7 terms of going forward for more RAPs as the prices are
8 going up and up.

9 MS. FANELLI: Right.

10 MR. WHILDEN: You might get a better idea of
11 how much it would cost.

12 MS. FANELLI: There might also be some
13 alternative. We do have contracts that allow us to
14 dispose of waste by rail. It tends to cost more per
15 ton. Historically, it has cost more per ton, even
16 though it could be considered a greener way to do it
17 because there's fewer emissions for the volume that
18 you're moving. That may change with the fuel costs.
19 And we might actually see that become a much more
20 competitive approach to disposal.

21 MR. WHILDEN: It might, actually.

22 MS. FANELLI: It might. At \$5 or more a
23 gallon, it might.

24 MR. WHILDEN: If you could do a little ballpark
25 analysis. You know, I'm sure you could probably do a

1 spreadsheet of that.

2 MS. FANELLI: I won't promise you right now.
3 But to the extent we can, we can look at that, and
4 particularly as we go forward.

5 MR. WHILDEN: Great.

6 MS. FANELLI: This is just a summary of the
7 costs. Basically I took the table you had had in the
8 past that was sort of a very high-level cost. It was
9 the whole program cost. And they did sort of a net
10 present value analysis. And that became very difficult
11 to compare where we were spent. And that was a question
12 that was asked: How much is this costing us relative to
13 what we budgeted.

14 So this is a more, kind of, traditional way
15 that we've presented cost to you in the past. As you
16 know, we take our program costs and we break them into
17 three or four basic areas: planning cost, the
18 remediation cost, the postremediation phase, and then we
19 capture other admin-type costs as well for each site.

20 So what you see here is the RAP3 sites, and
21 then you see our current period costs for remediation.
22 So this is the remediation phase. We do have some
23 contingencies built into the remediation phase. So you
24 see what we've currently spent, cumulative to date, for
25 just the remediation portion of it, our current

1 projection to complete, and how much is actually
2 committed -- so "committed" means not just what we
3 spent, but what we know we're going to spend because
4 we're under contract, or it's sort of an encumbered
5 cost -- and then our estimate to complete, less our
6 committed.

7 So this looks good, at this point, from an
8 overall, big-picture budgeting process. I think, per
9 our contractor announcement, we're going to be over.
10 But overall in the program, it may not affect that
11 \$152 million estimate to complete, as much as it could.
12 Did that make sense?

13 So that's fairly how we calculated our budgets
14 and costs. So the \$4.6 million that you see totaled
15 under the "Current Projection" is what you would see,
16 what builds into that \$152 million for the entire
17 program. So that's the number that we're looking at
18 here right now.

19 MS. BLUM: Is there a number for the original
20 estimation?

21 MS. FANELLI: The 1999 --

22 MS. BLUM: 1999.

23 MS. FANELLI: No, there's not. It's not on
24 this particular table. But we do have it. I can
25 certainly show you that.

1 MS. BLUM: I think what I'm looking for is, you
2 know, what is the increase in budget, overbudget. I'd
3 have to go back to the first spreadsheet.

4 MS. FANELLI: Right.

5 Our updated quarterly report and how I'm trying
6 to align our budgets now to schedule and to status and
7 to manage to our budgets. It does compare it to the
8 1999 number. It's a little bit of a "Oh, that's
9 interesting," because it's sort of past history and it
10 doesn't really matter anymore what the 1999 number was.
11 And there were so many sites that had no budget numbers
12 at that time.

13 MS. BLUM: Uh-huh.

14 MS. FANELLI: I try not to worry too much about
15 it, but it's a nice benchmark from the whole, how
16 efficient have we been. Okay. That's it for RAP3.

17 Things are actually going fairly well. It's
18 hectic. There's a lot of little small sites, a lot of
19 excavation problems, been very busy out in the field
20 every week looking at our sites and working with us on
21 it. But we're hoping that we're going to be done ahead
22 of schedule, which will save us some dollars, and then
23 be able to get our report wrapped up.

24 MR. CHESTER: I have on question on that. You
25 mentioned efficiencies and confirmation sampling is

1 helping speed things along. Is that because the
2 confirmation samples were clean, or did you guys try
3 something different?

4 MS. FANELLI: We just looked at how many we
5 were placing and where we were placing. And we were a
6 lot more efficient with that; we do have them coming up
7 clean. So we're not having to go back and do as much
8 resampling as we thought we had to. Not on all sites,
9 on several sites. If you see at the Sewer Lift Station,
10 we've taken a lot of samples.

11 We're also doing things where we're
12 characterizing material and place. And so, we kind of
13 define our envelope of excavation upfront. So we kind
14 of killed two birds with one stone. We characterize our
15 waste that's going off-site. We also know where we're
16 cleaning to, so that helps us be more efficient with our
17 samples.

18 MR. CHESTER: I see.

19 MS. FANELLI: Lab costs were estimated, alone
20 just for the RAP3 sites, at half a million dollars. So
21 everywhere we can get efficiencies on lab costs it makes
22 a big difference.

23 MR. BOGGS: There's a couple of other things
24 that happened in the efficiencies. Part of that RAP is
25 written that the locations are selected in consultation

1 with DTSC. And they didn't really write in a spec for
2 excavation along the pipeline, which should typically
3 follow the Water Board Guidelines, one for every 20
4 linear feet. But if you read the bar RAP, you would
5 take one on all the side walls every 20 linear feet and
6 one on the bottom every 20 linear feet. So we'd
7 actually have three times as many samples as would
8 typically be taken along the pipeline.

9 So like in 1351, where we removed the pipeline,
10 we agreed to follow a typical pipeline sampling
11 procedure, so that saved a nice handful of samples
12 there. So that was kind of some of the biggest things
13 as far as -- and also, the way the RAP is written, when
14 you do an overexcavation, you take one from all the side
15 walls and one at the bottom. Well, some of these
16 excavations aren't like square. You know, it's like
17 shave a little piece off of here and you really don't --
18 you may not even have a bottom. It's more just a sloped
19 side. So there's a couple things like that where we
20 were able to save that.

21 And also, in the analyticals, if -- like at one
22 site, there was a potential for VOCs to be there, 1351
23 specifically. Well, the initial sampling, we didn't
24 find any VOCs at all. So the subsequent sampling
25 removed that from the COC list, because we didn't find

1 any. So just in working together, we're able to carve a
2 little bit.

3 On the flipped side, 662, the opposite
4 happened; we found PCBs.

5 MS. FANELLI: So we added some analytes.

6 MR. BOGGS: So we added some analytes, and it
7 grew a little bit.

8 MR. CHESTER: Thanks.

9 MS. MONAGHAN: I dug up some old papers, and it
10 looks like with that RAP3 budget it was 10,742,000.

11 MS. FANELLI: That was probably all phases. So
12 that included the planning --

13 MS. MONAGHAN: Yeah.

14 MS. FANELLI: -- and this is just the
15 remediation and not the planning and not the
16 postremediation monitoring.

17 MS. MONAGHAN: But we have a lot of places we
18 haven't started yet either.

19 MS. FANELLI: We actually only have two: the
20 Transfer Station, where we have done nothing, and there
21 is one other that's on the slope of the firing range,
22 the 633 firing range.

23 MS. MONAGHAN: Oh, I thought there were like
24 three or four.

25 MS. FANELLI: We've started most places.

1 MS. MONAGHAN: Okay.

2 MS. FANELLI: Let's see. We have not started
3 Transfer Station and we have not started Building 633,
4 but we have started all the others.

5 MS. MONAGHAN: Okay. Thanks.

6 MS. FANELLI: Sure. RAP4. These are the sites
7 in RAP4: Landfill 10, which we break into two pieces, if
8 you will, what we call the top deck and the slope; what
9 we call PHSF Fill, which is the area adjacent to
10 Landfill 10, in front of the Public Health Services
11 Hospital, between 14th and 15th, if you will, that whole
12 area; Landfill 8; Connector Fill is engineered backfill
13 that had some high lead in it that's beneath the
14 existing 1950 structure. It's the backfill underneath
15 the slab.

16 We're also including these sites, firing
17 ranges, in RAP4. And I think at this point just CHP is
18 actually going to go through physical soil cleanup. The
19 other ones, I believe, are "no further action," based on
20 analysis.

21 Focusing in on the Public Health Services
22 Hospital area, this is just the map that shows the PHSF
23 Fill in front of the building. I need a little laser
24 pointer. You can see a little box; it says "PHSF Fill."
25 Landfill 10, which is the slope, the deck being the

1 parking lot, and Landfill 8 is behind it. The Connector
2 Fill is not actually shown on here. It's actually just
3 a little blob within the backfill.

4 You saw this before. This is back in February
5 when I first started. We had had the last RAP, and we
6 had presented this time line to them and then to you.
7 But we were going to try, beginning in February, to work
8 really hard together and try to figure out what it is we
9 needed to know about these sites in order to move
10 forward with a plan and a remedy and complete the
11 feasibility study and move on to the RAP. And that we
12 were going to try to get that done so that we could
13 report at the May '08 summit meeting, which was held on
14 the 22nd or the 24th. It was held on ...

15 MR. ULLENSVANG: 22nd.

16 MS. FANELLI: 22nd. And then after that
17 meeting, there were four. We had our kickoff meeting in
18 February, on Valentine's Day. We did fieldwork for the
19 next month on a very rapid schedule. We began to look
20 at remedies, FS, that month and through May. We had
21 more-than-monthly stockholder meetings. We met a lot.
22 And I have some data on that next slide.

23 We constructed a Web page to share information
24 and data exchanged to facilitate that. We did report
25 out. And if you can remember that one of the reasons

1 for fast-tracking this site was that the Trust was
2 working with Forest City developers to develop the
3 Public Health Services Hospital, and they needed to
4 address certain environmental issues in order to get
5 their funding in place to be able to sign a lease, the
6 legal documents with the Trust. So we were trying to
7 facilitate that process. They needed to be in
8 construction. We needed to know what we were doing so
9 that our construction wouldn't interfere with them.

10 The good-news story is that they were
11 successful in that. And that was the window time frame
12 for them to get their ground lease executed. I don't
13 believe it is executed, but I think it's very, very
14 close. It's within a few days.

15 We held over ten workshops. Towards the end, I
16 think we were together every other day for at least four
17 hours a day. If you take the four or five of us that
18 were traditionally always there, and four hours at a
19 time, times ten, it's well over 200 to 300 person-hours
20 that we spent talking about it.

21 During our investigations, Forest City
22 collected over 109 soil samples, I think over 40
23 boreholes from around their building. We collected 104
24 soil samples. Oh, I've got it flipped. We collected
25 109; Forest City collected 104 from several test pits.

1 They had been excavated and shallow and offered samples
2 around the PHSF Fill and the landfill phase.

3 We had installed and monitored 12 ground water
4 wells, but that was from December, so those wells had
5 gone in earlier. But we also did a fair amount of
6 statistical analysis of all the chemical data we were
7 getting back.

8 We reviewed videotape of the Mountain Lake
9 overflow pipeline to try to understand its relationship
10 to the PHSF Fill area and Landfill 10. And we evaluated
11 seismic stability analysis that had been done for the
12 landfill. So we did quite a bit of work.

13 MS. CHEEVER: Eileen, could you say who the
14 four or five people were or what groups they
15 represented.

16 MS. FANELLI: It was Doug and Brian, myself,
17 Genevieve Coyle (phonetic), Bob; Agnes was there for
18 many of them as well. So that's the group.

19 MS. CHEEVER: Thanks.

20 MS. FANELLI: Did I miss anybody?

21 MR. BOGGS: You got the major players.

22 MS. FANELLI: We had support from a lot of DTSC
23 and regional board folks on specific issues, like ground
24 water. The natural resources folks from Park Service
25 and the Trust participated in many of the discussions.

1 We had special support from Rick Warges (phonetic) and
2 some of those others on some of the trails and
3 overlooks. So we actually brought in a fair number of
4 experts on a very short notice.

5 We also had SCS, which is the engineering
6 design firm that's working with the Trust on the
7 engineering aspects, and EKI, which had been doing a lot
8 of the chemical analysis.

9 MS. MONAGHAN: Can I ask you about the seismic
10 stability? I know that we had -- earlier we had thought
11 there was a problem with that landfill. And has anybody
12 changed their mind about that?

13 MS. FANELLI: How is the best way to describe
14 it? We had two analyses. And in doing these analyses,
15 you make assumptions about the strength of your material
16 and something called discohesion. And the two different
17 analyses that had been done differently took, I would
18 say -- and, you know, Brian and Bob chime in --
19 extremes.

20 One assumed a fair amount of strength in the
21 waste and the other one assumed no strength in the
22 waste. And you look at seismic stability from a couple
23 of aspects. There's sort of dynamic, which is, is it
24 stable just by itself. And then you look at its
25 stability under a seismic event. And you think of it in

1 terms of displacement. If a seismic event occurred, how
2 much displacement would occur on the slope.

3 So there are a fair number of assumptions that
4 you can make. And our analysis was to look at these two
5 data points and say, "Are they right or are we somewhere
6 in the middle?" And that's the discussion that we
7 basically had. I don't think we fundamentally disagreed
8 with many elements of it, but we interpreted it a little
9 bit differently, in particular looking at the numbers
10 that were applied to the waste, because that's where the
11 real diversion was. An earlier analysis had given it a
12 fair amount of cohesion; the later analysis had given it
13 no cohesion. So that's sort of where we're at.

14 MS. MONAGHAN: So I think an earlier concern
15 was, is it would slide into the creek.

16 MS. FANELLI: Our analysis show that even under
17 a seismic event with fairly no cohesion that you would
18 get some sloughing, that it wouldn't travel into the
19 creek. But you would still get sloughing, yes. So
20 there is a potential for shallow failures, but not
21 deep-seated, you know, the "whole parking lot goes away"
22 failures.

23 MS. MONAGHAN: Okay. Thanks.

24 MS. BLUM: Eileen, just to follow up on that.
25 I've seen so much on television about these

1 computer-driven models of what happens, computer-driven
2 models to build a building or seismic events, or
3 whatever. So when these folks initially were looking at
4 this area, were they using some kind of advanced
5 equipment or were these engineers that we're doing these
6 stability --

7 MS. FANELLI: It was engineering. Geotechnical
8 engineers did all of the analysis, yes.

9 MR. BOGGS: There's a geotech from my agency
10 that that's reviewing that specifically, and laying
11 stability is his expertise. He's like the one person
12 that everybody goes through that has these kinds of
13 issues. And he's pretty much in agreement. He doesn't
14 think there would be -- even in an earthquake, there
15 will not be a big failure. It will be just a small
16 localized sloughing, is what they call it.

17 And no, they aren't using some highfalutin
18 fancy models. They're using straightforward engineering
19 equations that have been around for decades.

20 MS. BLUM: Are we focusing on a 6.9 earthquake?

21 MS. FANELLI: No, it was built on the 1906
22 event, so it was eight point -- whatever. What was the
23 San Andreas event?

24 MS. BLUM: Okay.

25 MR. BOGGS: Yeah. That's actually a number

1 that they always have to agree on ahead of time.

2 MS. BLUM: Okay.

3 MR. BOGGS: And it's very key to the analysis.
4 It's a maximum credible --

5 MS. FANELLI: I believe it was the 1906 event.

6 MS. BLUM: Okay.

7 MS. FANELLI: These are just some pictures that
8 Genevieve kindly threw in here for me. You can see this
9 is PHS Fill. You can see where we had basically soil
10 and brick debris and building rubble. This is one of
11 the examples. We would have this, and then we'd have a
12 trench next to it with nothing in it except for debris.
13 It was fill. It was not originally placed there. It
14 wasn't originally there, I should say. It was earth
15 fill or sand fill from another location, but in this
16 case it did not have a lot of debris in it.

17 These are pictures you might have seen before.
18 These were the wells going in last December at the
19 Tulnol (phonetic) landfill.

20 This was some trenching in Landfill 8 that was
21 done as well back in December. But we had -- when we
22 did this, we always have archeological monitoring
23 because of the sensitivity with the former graveyard
24 that was -- it's located there.

25 Okay. I got a lot of details in these slides,

1 and I wasn't going to spend a lot of time, but maybe
2 I'll go through them and come back and ask some
3 questions -- you can ask some questions. But we went
4 through them based on the analysis that we had, and we
5 identified a fair number of alternatives to mitigate or
6 be protective of human health and the environment. We
7 did not find significantly high contaminants. Basically
8 we had benzopyrene in some of the soils -- which is a
9 human health risk -- at low levels, but still above our
10 standards.

11 And then we had, on the face of Landfill 10,
12 zinc above -- sort of the background -- I think the
13 background is 66 parts per billion. And we are at on
14 the order of -- the upper 95 percent confidence was
15 somewhere in the low 90s, 91, 97. I can't remember.
16 And our lead was between the range for it. So low risk,
17 but risk nonetheless.

18 So we went through our different sites. And we
19 looked at PHSF Fill first. One of the things that we
20 discussed and we identified is that at PHSF Fill at
21 least -- primarily I think because it's a landscaped
22 area -- that we have an existing two to three feet of,
23 basically, soil on top of the debris. It's probably
24 there because the site was landscaped in the past, for
25 what it was used for. So that is a cover. It does

1 serve as a cover.

2 So we looked at land use controls, using that
3 existing cover. We looked at antibiotic fabrics that
4 would prevent critters from burrowing up, potentially,
5 through that material and bring in anything from depth
6 on up. We looked at that with a fabric with six more
7 inches to just increase the thickness. And we always
8 threw in clean closure. I actually don't know if I
9 believe any of these clean closure numbers, but we
10 looked at what it would take to dig it all up to the
11 wells.

12 At the top of Landfill 10, we also looked at
13 land use controls. We looked at a cover, if you will,
14 because the conditions there are a little bit different
15 than PHSF Fill. We have basically debris and rubber
16 directly under the asphalt, or directly under a thinner
17 veneer of soil. So we don't have that same two-foot
18 thickness of existing copper. So we looked at LUCs with
19 the cover, and that cover being either asphalt or soil
20 of some type, and we looked at clean closure.

21 We looked at the face of Landfill 10. We
22 looked at land use controls leaving it as is. We looked
23 at land use controls with a cover, but a natural cover
24 of coastal scrub that would provide incremental benefit
25 from both a habitat standpoint and a coverage

1 standpoint, with some erosion control features added in.

2 We looked at additional grading and cover with
3 coastal scrub. We looked at buttressing the base of the
4 landfill. And we also looked at excavation.

5 The purpose of the grading is, again, to even
6 increase stability more than what we have today. The
7 buttressing does the same thing in a different manner.

8 We also talked about, but it doesn't show up in
9 some of these numbers, repair of the Mountain Lake
10 overflow pipeline, particularly where we know that it is
11 leaking. It is in relatively good shape from Mountain
12 Lake area through PHSF Fill. There is leakage at the
13 joints. That's not surprising for clay sewer pipe.

14 As you go underneath Landfill 10, there's more
15 cracks in it, so it would be a larger job. But I
16 believe below that, it's in much worse shape as you get
17 actually into Lobos Creek area, but we talked about
18 that.

19 And we talked about continued ground water
20 monitoring of the sites to make sure that whatever we do
21 doesn't change the hydraulic conditions out there, that
22 we're not having an unintended impact that we wouldn't
23 want to have.

24 Landfill 8, we looked at the land use controls
25 for the sand cover that's historically been discussed.

1 We looked at partial excavation and consolidation. We
2 looked at partial excavation with off-site disposal.
3 And we looked at complete excavation as well.

4 MR. HULTGREN: One thing I find interesting, if
5 you can go back to the prior two slides. Yeah, you're
6 looking at -- for example, the PHS Fill -- the
7 difference between the most expensive land use control
8 option, clean closure, like a factor of ten difference
9 in costs. Roughly the same for Landfill 10, top deck.

10 Go to the next one. Same thing, about a factor
11 of seven or eight difference. And then if you go to the
12 next one, a factor of two, more or less, or maybe
13 three, depending on which way you go.

14 MR. BOGGS: It's not a very deep landfill.

15 MS. FANELLI: The problem with talking about
16 clean closure, and why I don't believe a lot of those
17 numbers, is that they might be somewhat limited. If
18 you're looking at 14th to 15th Avenue, you're talking
19 about building a valley. That means 14th and 15th don't
20 go into the Presidio there anymore. You know, you're
21 talking about bridges. All the utilities that cross
22 there are suspended in the area now.

23 And Brian, I don't know if you looked at those
24 numbers, but I don't know if they include any of those
25 kinds of elements or if it's just "take it out." Kind

1 of a \$15 million --

2 MR. ULLENSVANG: There's a line item for
3 utility relocation. So I don't know what's included in
4 there.

5 MR. HULTGREN: So you're saying that the
6 utility relocation costs would actually be more for
7 those projects?

8 MS. FANELLI: I'm suspecting it could be. Just
9 because of the fact that you're taking out up to 50 feet
10 of dirt that's now the front of the building. And
11 you're creating a valley. And so it would be all sorts
12 of rope changes and things that have to occur. I'm sure
13 that those numbers don't include replacing 14th and
14 15th. It certainly does not include bridges.

15 MR. BOGGS: Yeah, they backfill that. They
16 wouldn't build a bridge.

17 MS. FANELLI: Yeah, they did backfill, but
18 then -- yeah. Okay. So we looked at a variety of
19 alternatives there.

20 Outcome of Forest City development work. Their
21 lease agreements, as I described, require resolution of
22 some of their remedial issues. They have since done a
23 soil management plan, which DTSC is reviewing. As part
24 of their construction work, they would be remediating
25 because they would be -- we're reworking that material

1 anyway, that hot spot, and that seems to work. So
2 they're going to be handling whatever high lead they
3 encounter during construction.

4 MS. BLUM: If something goes wrong with what
5 Forest City has done and it becomes a problem for the
6 Presidio later, who's liable?

7 MR. BOGGS: The Presidio.

8 MS. BLUM: Is the Presidio liable?

9 MS. FANELLI: Yeah, we're the landowners.

10 MS. BLUM: Okay. And do you have any recourse
11 on Forest City at all?

12 MS. FANELLI: There's all sorts of legal
13 agreements, yes, with Forest City in terms of the work.

14 MR. BOGGS: If Forest City causes
15 contamination --

16 MS. FANELLI: No, unless it's something --

17 MR. BOGGS: -- then they're liable, but if it's
18 something they're --

19 MS. BLUM: They're responsible.

20 MR. BOGGS: -- responsible for --

21 MS. FANELLI: Yeah.

22 This is what we presented to the Summit, and
23 this is what the stakeholders got too. And this is
24 where we are continuing to work from today. Based on
25 the really low, low levels of benzopyrene in PHSF Fill,

1 the stakeholders felt -- so that a group of four or
2 five -- those of us that got together, that land use
3 controls maintaining the existing two-foot of cover
4 would be adequate for the PHSH Fill area.

5 On the top deck of Landfill 10, land use
6 controls with improved cover. And part of that cover
7 includes consolidation. So as we treat the face of
8 Landfill 10 and as we treat Landfill 8 and prep it for
9 closure, any of that excess material would be
10 consolidated underneath the parking lot, the cap that
11 would be constructed at the top deck of Landfill 10.

12 At the face --

13 MR. BOGGS: Just to clarify, though, any
14 material from 8, it's not that easy to consolidate under
15 10. But 10 could be cut back to slope and could be
16 consolidated into 10.

17 MS. FANELLI: And we're not talking about
18 putting plants and things like this, right. You can't
19 put things that fall apart. It would have to be
20 material that you could build a cover, a parking lot on.
21 So there is some engineering involved in that. We're
22 not talking about bringing mushy stuff that's going to
23 break; we're talking about rubble.

24 On the slope of Landfill 10, the stakeholders
25 felt that land use controls, but it was important to put

1 a coastal scrub cover on that. And that coastal scrub
2 is a remedy; it is a cap. It has the benefits of
3 helping us control erosion in providing strength,
4 because of the root structure, over time. It reduces
5 human health exposure, just by the nature of how it
6 grows. And it provides some higher-quality habitat for
7 the critters. It also meets both the vegetation
8 management plan and the GMPA objective. So it seemed
9 like a good integration.

10 MR. HULTGREN: Out of curiosity, why not the
11 grading or buttressing?

12 MS. FANELLI: It was thought that our seismic
13 risk analyses are not that significant, and that is
14 where we are still continuing to refine those estimates
15 with Ron, who is the geotech with DTSC.

16 And the coastal scrub really goes a long way to
17 addressing some of the instability for shallow
18 sloughing, primarily because, based on what we learned
19 from the natural resources folks with the parks, is that
20 their root structure is five-feet-plus steep. And that
21 provides a good amount of strength, whereas the bases
22 that are there now have about an eight-inch root
23 structure.

24 So we would be removing all of those roots to
25 try and make sure that they didn't grow back, so that

1 our native plantings would be successful. And then we
2 would try to get that to take fairly rapidly, and then
3 we'd rely on that root structure to help provide us with
4 some shallow strength, additional shallow strength.

5 MS. MONAGHAN: Can I ask about the -- we talked
6 about a lot of land use controls here. What is the
7 maintenance budget for maintaining all these controls?

8 MS. FANELLI: Well, land use controls are not
9 so much maintenance cost. We do have maintenance cost
10 built into these numbers. We did look at that. The
11 land use controls, the way we've been administering
12 them -- and I wish I had someone else from the Trust who
13 has done this more than I have, since I've only been
14 here a short time. But the restrictions for land use
15 controls would just require that if you're going to do
16 work in the area or if you want to trench in the area,
17 it would restrict building a new house on the PHSF Fill,
18 for example, unless you did something else or you did
19 further analysis.

20 It would prevent activities from happening on
21 the face of Landfill 10 that we wouldn't want to have
22 happen on the face of Landfill 10.

23 MS. MONAGHAN: The asphalt cover, that's a cost
24 forever to the Trust, that they have to maintain that
25 asphalt cover.

1 MS. FANELLI: That is correct. But the asphalt
2 cover is also providing parking, which is a necessary
3 element as well. So there's where there's some synergy
4 between the development and the cover.

5 MS. MONAGHAN: But the parking is a benefit for
6 the Trust, for visitors, or for -- I thought it was for
7 Forest Hill.

8 MS. FANELLI: Forest City. It's for both.
9 Because up at the top there is where you're up at the
10 top of your local street trail. I don't think that
11 parking is limited; I think it's open. It's not limited
12 to the Forest Hill development. They're actually
13 developing some of their own parking, limited parking,
14 but in other areas.

15 So the parking lot which exists now would
16 continue to exist. It's actually being reduced in size.
17 So we would be applying a different vegetative cover in
18 the areas where the parking lot is reduced in size. And
19 it would form and work with the overlook structures that
20 are planned and the trail access to Lobos Creek.

21 MR. BUDROE: Could you go back to the Landfill
22 8 slide, please.

23 MS. FANELLI: Sure.

24 MR. BUDROE: Okay. Well, there's considerable
25 spread from the cheapest alternative to the most

1 expensive one. Why -- if that was a relatively small
2 landfill, why are only portion excavation options
3 chosen?

4 MS. FANELLI: This landfill in particular is
5 complicated because of the presence of the sedimentary
6 underneath and the fact that many -- because the bodies
7 were originally placed in sand dunes, and then there's
8 been a lot of disturbance, that some of the bones are
9 disinterred. You know, they're not associated --
10 there's a word for it, when the bones become
11 disarticulated -- and they get mixed into some of the
12 rubble.

13 So this was actually a long discussion with
14 Doug. And we did come to some agreements and had some
15 discussion in terms of what's respectful in terms of
16 handling the material. Originally we looked at
17 consolidation to cheapen the alternative. But that
18 provided some complications in terms of the habitat
19 restoration, because you don't want to create a mound to
20 put a sand dune on and not have it conform nicely to
21 your area.

22 And there was also the concern of what do you
23 do if you come across bones. So we had a very long
24 discussion, many discussions, about respect and what
25 that means. And we got to some agreements on that,

1 which are actually on this slide here. And Doug thought
2 it was very important that this was presented at the
3 Summit meeting, that we actually have -- parallel to our
4 design, recognizing the remediation and the long-term
5 disposition of the graves are, in many ways, separate
6 issues. But he felt it was very important, and I think
7 the Summit members agreed, that there'd be a public
8 process to discuss the appropriate feasible disposition
9 of the sedimentary, and to have that happen in parallel
10 as we're moving forward.

11 And so I know that there are some tasks that
12 the Park Service's attorneys and the Trust attorneys are
13 looking into in terms of what is the exiting policy and
14 procedures, what are the existing standards that the
15 federal government and other national parks follow in
16 terms of dealing with graveyards or bodies.

17 And it was Brian O'Neil who brought up, very
18 clearly, the fact that we do this all the time back east
19 in the Civil War cemeteries or battlefields or
20 battlegrounds where there's other uses. But we know we
21 have bodies that are then turning the ground underneath
22 it.

23 So we're going to do some research on what the
24 policies are. We're going to have a public process to
25 discuss that. And I think Doug was very interested in

1 just making sure that we had done enough outreach, that
2 these people, if they had families at homes or
3 governments that were interested in them, that there was
4 an opportunity to close the loop on that and see it.

5 So that process, I believe, will be going on.
6 I'm sure when Doug gets back we'll begin to schedule
7 these processes. So that would happen, and depending on
8 that outcome, we'll either build our LUC with sand cover
9 or not. But there is sort of a time frame and a
10 commitment to move forward.

11 Even if we did the remedy and this discussion
12 took five years, it doesn't preclude those bodies being
13 reinterred somewhere else, or something happens. It
14 just means that we would take our sand cover off and we
15 would do something else at that time.

16 MR. BUDROE: Last-but-not-least question.

17 MS. FANELLI: Sure.

18 MR. BUDROE: Does that, say, take the high end
19 of the agreement on budget range, \$4 million, for those
20 four choices? How does that compare to what was the
21 projected cost for those four sites?

22 MS. FANELLI: The \$4 million -- we've spent
23 approximately \$2 million to date. If you add the
24 \$4 million to it, then that means we would have spent
25 about \$6 million. The original budgets all total -- I

1 don't have them with me, but they are less. They are
2 more in the \$4 million range for all of the remedies.

3 The current projected budgets were -- that's in
4 that \$152 million number -- is more like \$11 million.
5 So I think the process actually found some very good
6 solutions that are helping us to use our monies wisely.
7 We're still overbudget. We're over the 1999 budget;
8 there's no doubt about it. PHS Fill wasn't even
9 envisioned at that point. But we're working to control
10 the projected budgets that have us in that overrun
11 condition. Does that answer it?

12 MR. BUDROE: Well, it does. But you just
13 brought up another question I hadn't thought of. If
14 PHS Fill wasn't thought of back then or wasn't known --
15 was that a known site?

16 MS. FANELLI: It was not a known site. And
17 there are claims that the Trust has made against the
18 Army, as well as against Zurich. And so it's just a
19 legal recovery process, if we can recover cost.

20 MR. BUDROE: All right. Well, then wouldn't it
21 make more sense to go for a more expensive but
22 potentially a more thorough remedy if you know that
23 either the Army or Zurich, or both of them, might wind
24 up paying for it?

25 MS. FANELLI: Not necessarily, because we -- in

1 our agreements, we have thresholds that we have to meet.
2 There has to be a bona fide human health risk. We have
3 to find a protective remedy, but they have some say. It
4 has to pass the sniff test. And so, yes, there are
5 cases where we might go for more, but we're committing
6 these dollars, probably well in advance of actually
7 recovering those dollars in the process, or else we
8 wouldn't be able to get done. So they can hold us
9 hostage, basically, for that.

10 So yes and no is the answer I would have to
11 your comment. No, we need to be balanced and realistic
12 about it because it has to stand scrutiny and audit.
13 But that's not to say we don't sort of play those games
14 with them on sites. We don't negotiate against
15 ourselves. We try to be realistic and have a good solid
16 case to make sure they'll cover it.

17 MS. MONAGHAN: Just for your information,
18 Landfill 8 and 10 was budgeted in 1999 at \$2.7 million.

19 MS. KRAMER: For the two?

20 MS. MONAGHAN: For the two together.

21 MS. FANELLI: I think we're doing good. So
22 this is where we're at. This is our new schedule. We
23 actually, I think, met our goals, because everybody
24 worked really hard. We were all together at 7:30 the
25 Tuesday before the Thursday Summit meeting in Building

1 67.

2 We had our report at the Summit meeting, and
3 where we're at now is beginning to prepare the
4 documentation. We're working on what is the FS going to
5 look like and how do we structure it; how do we begin to
6 get through the CEQA process and begin to prepare RAP4.
7 So we're working on that now. Our goal is to try to
8 have a RAP approved with the CEQA documents certified by
9 DTSC in December.

10 So we're working back from that. We're trying
11 to get a document that the stakeholders can all stand
12 behind out for public process by the end of September.
13 So we're not cutting ourselves too much slack, to be
14 honest right now, in this process. So those are what
15 we're doing.

16 Next steps: draft feasibility study, prepare
17 CEQA documentation, draft RAP, complete public review.
18 And as we go through the process -- we talked about it
19 today, actually -- as we go through the design and we
20 look at some of those issues, we'll be happy to present
21 them here to you as we go through that process at our
22 next -- at your RAP meetings.

23 Okay. RAP 5 and Beyond. So let's let
24 ourselves not rest at all. We're now, in addition to
25 pushing forward on RAP4, beginning to think about how do

1 we complete remedial construction on all the remaining
2 sites by May 2014. That date is important because all
3 invoices and bills need to be paid for remediation by
4 that date in order to preserve our full rights under our
5 insurance policies, and that includes both our known
6 sites and our unknown sites. So that's a challenge,
7 from a financing standpoint as to how to cover the
8 unknown sites.

9 In going forward, we want to utilize our
10 remaining funds. So we're going to prioritize known
11 sites, because those get us to our \$100 million.
12 Unknown sites use our money without getting us to our
13 \$100 million. So we need to prioritize known sites
14 where we can. We need to coordinate our work with other
15 Presidio projects, whether they're Trust projects or
16 conservancy projects or National Park Services projects,
17 particularly ones where they've already gotten a fair
18 amount of funding by the trails and overlooks, and
19 things like that. So we're looking at that.

20 And we need to maintain a balanced level of
21 effort, and that's mainly so that we can efficiently
22 utilize all of our staff and then all of the
23 stakeholders that participate. And we want to make sure
24 that we sequence things to provide that adequate and
25 appropriate time for discussion.

1 So some sites, for example, that are costly and
2 don't have a lot of technical issues, we'd like to knock
3 those out and move those forward. Other sites might
4 require a fair amount of discussion and coordination,
5 and they may not be big cost remediation dollars. So
6 those we want to schedule for outer years to give us
7 some time to do the discussion, so that we're still
8 making our goal of that \$100 million. So these are some
9 of the things that we're thinking about. We don't have
10 a set schedule yet. We're beginning to get there.

11 MS. BLUM: Eileen?

12 MS. FANELLI: Yes.

13 MS. BLUM: What kind of a process will you use
14 to prioritize the remaining funds and how you use them?
15 Is that a public process or a Trust process?

16 MS. FANELLI: It will be a stakeholder process.
17 This is just some of the criteria that we would use. In
18 terms of riskiness, we try to look at exposure and risks
19 as well, if there were some that were a higher priority
20 than others. These are some of the main criteria I
21 brought forward, and I know Doug has presented some
22 others and we have been talking about sites that may
23 impose more risks. So that will be, I think, primarily
24 a stakeholder process to get that taken care of.

25 MS. BLUM: Thank you.

1 MS. FANELLI: The criteria that I have, it does
2 have to meet our cost and schedule issues in order to be
3 successful. And once we figure out what that schedule
4 is going to look like, then I can finalize a master
5 schedule. And we've talked about this in previous
6 meetings where we are pretty close to adopting a
7 RAP-a-year approach, you know, figuring out what our
8 construction sequencing schedule is and getting those
9 sites calendared for construction.

10 To that extent, we can systematize the
11 planning, design, and construction. That should
12 streamline things. And then we have a fair number of
13 little legacy sites that are basically done, but they're
14 not closed. Because we have -- you know, we run on
15 ahead and we need to go back and cross our Ts and dot
16 our Is. And so those are the things we need to take
17 care of too.

18 And as part of this process, we got a master
19 schedule. We did a RAP-a-year approach. If we
20 systematize, it would actually improve our project
21 status reporting to everybody, I think. That would be
22 simple.

23 This is something that we presented at the
24 Summit. This is that concept, it shows you right here:
25 RAP 1, when it was done; when we got RAP approval; when

1 we got RAP closure; RAP 2 is shown on there; RAP3, which
2 is in construction now; and RAP4, what we anticipate
3 there.

4 And the idea would be to continue with RAP 5,
5 RAP 6, RAP 7, and RAP 8 and 9, and we're trying to get
6 closure. At the end of our construction, where you see
7 the red, those are sites that have a ground water
8 monitoring component. So we would have final, final
9 closure after a one- to three-year period of monitoring.
10 And this gets us done by 2014. Actually, for some of
11 the sites where there is ground water monitoring, you
12 can see it goes beyond that. Those dollars would be at
13 risk because they wouldn't be part of that risk report
14 policy if they were spent after that date.

15 MS. MONAGHAN: Isn't it true though that if you
16 have land use controls you have to do the ground water
17 monitoring forever?

18 MS. SEGAL: Is there a 20-year --

19 MS. FANELLI: Not necessarily --

20 MS. MONAGHAN: Oh, okay.

21 MS. SEGAL: -- monitoring requirement?

22 MS. FANELLI: For rain water? It's a
23 site-by-site basis. And so we work with the water board
24 and DTSC. And often if it's stable, we stop monitoring.
25 The land use controls in terms of restrictions about

1 what you can build on the property or how you get --

2 MS. MONAGHAN: Yeah.

3 MS. FANELLI: Those go on throughout.

4 MS. MONAGHAN: Right.

5 MS. FANELLI: But the monitoring itself does
6 not necessarily. So that was what we presented to them.
7 I think it was fairly well received.

8 This is budget projections. This does reflect
9 in order of sites. I'm not giving you the order, but
10 this is sort of the analysis that we're trying to do, is
11 look at spending our dollars. In a way, it would be
12 nice if that bar was somewhat even across, only because
13 that reflects the level of effort that staff can do,
14 right?

15 If I'm trying to spend \$20 million in one year,
16 it usually means I need more people, and then the next
17 year I would need \$2 million less. So given the
18 resources we have, we want to balance that. It's not an
19 exact science, by any means. Because there could be
20 expensive sites that are actually not very technically
21 complicated. So it's not a one-to-one type correlation.
22 But that's one of the things we're trying to look at.
23 And we're trying to spend our money sooner to get that
24 \$100 million secured and not run it out to the end.

25 So this is a concept. This is what our

1 analysis would look like in our report. Right now we're
2 looking at reaching \$100 million in allowable expenses
3 sometime in, I believe, first or second quarter of 2011.
4 So our next steps include finishing prioritizing those
5 sites and then balancing our cash flow and making sure
6 that once we hit that \$100 million, we'll compare it.
7 Because that means things change. That means we need to
8 have agreements in place to find initial funding to
9 finish sites. It means that Zurich is much more
10 involved in the activities that we're doing. So there's
11 some fundamental changes that could occur, and we want
12 to make sure that our process is strong and defensible
13 so that any involvement is positive and not a conflict
14 situation. Okay.

15 These are not the sites necessarily that
16 reflect that cash curve. I moved them around. But this
17 is just conceptual, so this is like the idea. This
18 construction -- next construction season we'd be doing
19 the RAP4 sites. We'd be doing the design and planning,
20 finishing the planning design this year.

21 RAP 5 sites would be done in construction year
22 2010. RAP 6 sites would be done in construction year
23 2011. So the planning for RAP 6 would actually begin
24 much more in advance. And we'd just take the sties that
25 we have and we would come to an agreement on how to

1 divvy them up. And that's where the stakeholders are
2 beginning to discuss things, and we're not there yet.
3 And so that's where we were.

4 Petroleum is actually still our "good news"
5 program. We're substantially complete on that. And
6 we're, I believe, still under budget on it, 207-231
7 notwithstanding. The sites that are in progress and are
8 nearly complete, we think will be complete within this
9 calendar year or early into 2009, are commissary, PX,
10 1349, 970, 971, fuel distribution system, and 920.
11 There might be a few others.

12 207-231 we've talked about. We're looking at
13 maybe doing that over three construction seasons, for a
14 variety of reasons. One is we want to do some treatment
15 this year. It's also very close to the main post. And
16 as you know, there's likely going to be a lot of
17 construction at the main post in the near future. And
18 part of that area is sequencing and staging land with
19 that construction. So there's a use for that area, so
20 we want to make sure that we don't take it away
21 unnecessarily, that we coordinate our activities with
22 other Trust activities. And we may do 207 earlier than
23 231; we may not. For right now, we've left that
24 flexibility in there.

25 And then we need to plan for remaining tank

1 closures. There is a list of tanks that have been
2 identified but may or may not exist; we're not quite
3 sure. And that chunk of tank data has not been
4 finalized yet, but Agnes and I were talking about that
5 today and coming up with a plan to get those taken care
6 of. So we're feeling very confident on our petroleum
7 program.

8 Lead-based paint in soil. DTSC, as you know,
9 at the February Summit meeting provided us some new
10 staffers and we've been working with that. We've gotten
11 that review of our lead plan. We're making some
12 additions in accordance with DTSC's comments, and then
13 we're continuing to investigate buildings. But we're
14 getting some real good traction there to get those sites
15 closed and moving forward.

16 The lead-based paint program is different from
17 the others in that it's much more dependent on Trust
18 scheduling for landscape work and building
19 stabilization. So we're working through those issues
20 internally to make sure that we don't have a conflict,
21 meaning, i.e., the Trust isn't renovating certain
22 buildings, precluding us from doing our cleanup, and
23 therefore not getting those dollars spent within our
24 observed time frame. A few more complications there
25 because there's broader ramifications. But we're still

1 about 50/50, 50 percent spent and 50 percent complete on
2 that program as of today.

3 MS. CHEEVER: I just wanted to say that --

4 MS. BLUM: Go ahead.

5 MS. CHEEVER: Are you saying that you know that
6 there were a total of 263 buildings that needed to be
7 cleaned up and there's 321 that we don't know about
8 because they haven't been sampled yet?

9 MS. FANELLI: Yes. And what happens with the
10 321 that haven't been -- so the 489 plus the 321 is the
11 global market of the buildings, the number. And what
12 we've been running is about 50 percent need cleanup and
13 50 percent don't. So if that percentage holds true,
14 then we're at a 50 percent kind of done and 50 percent
15 completed. If that shifts and actually more needs to be
16 cleaned up, than that would be a different dynamic.

17 MS. BLUM: I noticed you're starting to do a
18 little bit of work on one of the buildings in Ft. Scott.
19 And I'm wondering -- I'm sure there's a lot of
20 lead-based paint up there --

21 MS. FANELLI: Yes.

22 MS. BLUM: -- at Ft. Scott -- you know, I don't
23 even remember reading anything about Ft. Scott in
24 remediation. That's certainly part of the remediation
25 program.

1 MS. FANELLI: That certainly is.

2 MS. BLUM: Okay.

3 MS. FANELLI: There are many buildings in Ft.
4 Scott. And actually, Ft. Scott -- because we're in Ft.
5 Scott right now. Because there isn't --

6 MS. BLUM: It's just over here --

7 MS. FANELLI: Yeah, all the buildings up here.
8 Because we don't have tenants, there's not an identified
9 venue. That's why it's sort of blank here, because we
10 don't have people stepping in that we're negotiating
11 with to do some of the stabilization and cleanup on it.
12 And that's something the Trust is going to have to
13 address. And we're going to have to look at what the
14 cost impacts are for that area.

15 And that's it. I'm not supposed to do what I
16 was taught, never go to a blank slide. So that's all
17 the slides. That's a long presentation, so you've been
18 patient.

19 FACILITATOR YOUNGKIN: Any more questions?

20 MS. BLUM: Could I get a copy of that
21 presentation, if I could?

22 MS. FANELLI: Yes, that would be possible.

23 MS. BLUM: Especially the numbers.

24 MS. FANELLI: Of course, everyone wants the
25 numbers. I'd be happy to, and next time, yes. It's

1 actually no problem. I'll get it printed out. I'll get
2 it as a PDF and get it sent out to you.

3 MS. BLUM: In e-mail?

4 MS. FANELLI: Yeah, e-mail. It's probably a
5 pretty big file right now, so if I make it a PDF, it
6 should be sendable. And I am seriously -- in our
7 next --

8 We're trying to revise our quarterly reports
9 and make them a lot more synchronized in time with
10 status of the projects and our financial goals. So I'm
11 hoping that will involve the next August report
12 reflecting through third quarter FY '08. It should be a
13 lot better, but it still will not be 100 percent, but
14 we'll keep working on it as we go forward.

15 MS. BLUM: Eileen, let me ask you a question
16 about Ft. Scott, which is totally really the main --
17 it's totally untouched and there's not a remediation
18 site up there that I'm aware of. I think we have a
19 battery of dynamite or something, some of the batteries
20 that we know about.

21 MR. ULLENSVANG: In some of the service
22 buildings, service buildings on the east side.

23 MS. BLUM: But we've had so many surprises in
24 the program, I would say. What happens if -- when that
25 finally gets under way or reused -- that toxic material

1 was found in Ft. Scott? I know you're going to deal
2 with it when you get there, but that will be probably
3 after -- my best guess is it will be after we've closed
4 this down and spent our money in 2011 and so on.

5 MS. FANELLI: Well, our agreement with the
6 Army -- contamination that the Army hasn't identified as
7 found, we always have recourse and discussions with the
8 Army. Zurich may not be there for that.

9 MS. BLUM: Uh-huh.

10 MS. FANELLI: One of our last RAPs is sort of a
11 closure document. It's sort of a -- it's not fleshed
12 out. It's sort of a -- maybe -- Andrea called it like a
13 white space, you know the spaces in between the sites.
14 I can imagine it sort of being a planning document as
15 well as an assessment, a "what if," but --

16 MR. BOGGS: UPSC likes to certify sites
17 boundary to boundary, so that's basically the concept
18 behind the final RAP, is basically summarizing the
19 entire Presidio and finding those portions that had the
20 LUCs and really setting completion of it, essentially,
21 for the remediation program.

22 MR. ULLENSVANG: Jan, it may not be that high a
23 risk because industrial planning activities were
24 being conducted in 1351, which is a service area, and
25 that's being cleaned up under RAP3. And there's a

1 petroleum motor pool area on the east side that's being
2 investigated under the petroleum program for
3 miscellaneous sites. So there's some -- the service
4 buildings, many of them, have been known, intervened,
5 dealt with. So depending on the use of the building,
6 some uses don't have a high risk.

7 MS. BLUM: Okay. Thank you.

8 FACILITATOR YOUNGKIN: Thanks, Eileen. That
9 was a lot of information. Any more questions,
10 discussions?

11 Okay. Let's move on to Regulatory Agency
12 Status Updates/Inputs. Agnes, Bob, anything you want to
13 say?

14 MS. FARRES: No.

15 MR. BOGGS: The only thing I was going to add
16 was Eileen had talked about the soil management plan for
17 the Public Health Services Hospital in Forest City. We
18 actually approved that last week. We reviewed it and
19 submitted some comments. They incorporated all of our
20 comments, and it got approved. Other than that, I think
21 Eileen covered everything.

22 FACILITATOR YOUNGKIN: Okay. Thanks Bob.

23 Any questions for Bob?

24 MS. CHEEVER: Can I ask Eileen a question?

25 What are you going to figure -- in the financial part at

1 the beginning, it was an estimated amount to complete.
2 Does that include the RAP4 sites that you just talked
3 about, which is now \$2- to \$4 million?

4 MS. FANELLI: No, it's had the old budget in
5 there. It has not been adjusted. So the current budget
6 shows two and the estimate 152 --

7 MS. CHEEVER: Yeah.

8 MS. FANELLI: -- has the old estimate in it,
9 not the new one.

10 MS. CHEEVER: And what was the old one? Was it
11 excavation, so it was much, much more?

12 MS. FANELLI: No. It was another cover
13 alternative, but the aggregate for 8 and 10, I believe,
14 was closer to the \$11 million number.

15 MS. CHEEVER: Closer to \$11 million.

16 MS. FANELLI: Right; because we have to add in
17 what we spent, which is \$2 million. So it's more like
18 \$6 million.

19 MS. SEGAL: Eileen, can I just ask -- and maybe
20 Brian and Bob can -- at the Summit meeting, there was a
21 discussion -- and I'm sorry, I apologize for coming in
22 late. Maybe you talked about this earlier in the
23 meeting. There was a discussion about the issue of -- I
24 think it was on the slope -- removal of the vegetation
25 and then replanting.

1 Can we just talk about that just briefly?

2 MS. FANELLI: Yeah, sure.

3 MS. SEGAL: Because it was kind of an
4 interesting discussion of costs.

5 MS. FANELLI: There is concern because there's
6 a short-term risk associated with removing the existing
7 vegetation because it could cause destabilization. And
8 there's concern about making sure that we plan when do
9 we need to do that, is it really imperative, because the
10 slope has existed in its current configuration for a
11 long time. And are we prepared -- have we analyzed the
12 downside risks, short-term risks that we might have if
13 we do that utilization.

14 So at this point in time, the Park Service and
15 the Trust are really working through those in detail and
16 trying to respond to management's concerns about those
17 short-term risks. And we've been working through them.

18 MR. ULLENSVANG: I think the counterpoint is
19 that the long-term risks of not doing it is that you may
20 not establish a sound habitat if you don't remove some
21 of the existing weed roots or sea bank. You may have a
22 very high and continuing maintenance to try to establish
23 a sound habitat there.

24 MS. SEGAL: It was an interesting,
25 philosophical discussion in terms of those nonnatives

1 have been there and the soil has been fine, and so to
2 remove that and to change it -- I think it was a cost
3 issue as --

4 MS. FANELLI: Right.

5 MS. SEGAL: -- part of that equation as well.

6 MR. ULLENSVANG: Right.

7 MS. FANELLI: There was. And there was concern
8 about controlling the cost, really, I think, or
9 controlling risks in terms of unanticipated things that
10 might occur, and how do we do that. So we are still
11 responding to management. And Brian and I are working
12 pretty hard to try to figure that out and get back to
13 them. But at this point, we are proceeding in concept
14 of what the stakeholder group agreed to. So we're
15 moving forward with that.

16 MS. SEGAL: Thank you.

17 FACILITATOR YOUNGKIN: Any other comments,
18 questions?

19 Okay. Moving on to new business. Anybody have
20 any new business?

21 Review of action requirements. I'm not sure if
22 I have any action items today. Does anybody have any
23 action items to present tonight?

24 MS. SEGAL: Not for tonight. Was Doug at the
25 committee meeting?

1 FACILITATOR YOUNGKIN: Uh-huh.

2 MS. SEGAL: In terms of the research that Brian
3 O'Neil talked about, in terms of dealing with the
4 cemetery issue, I wondered if there was going to be a
5 subcommittee or public discussion. I'd like to talk
6 more about it or talk to Doug more.

7 FACILITATOR YOUNGKIN: And Doug --

8 MS. FANELLI: I think that would be a good
9 thing to do. If there's concern from -- the concern
10 came from Doug. So to the extent he would like to lead
11 how that public discussion occurs, I think it's very
12 appropriate if you have a subcommittee or a group that
13 helps out with that process and request information.

14 FACILITATOR YOUNGKIN: And I think Doug is
15 reflecting a long concern that the whole group has had
16 for the disposition of the cemetery in general. Okay.
17 I think we're done with the agenda items for an upcoming
18 committee meeting. Any other agenda items for an
19 upcoming committee meeting? If you get any ideas, let
20 me know.

21 Any other comments?

22 MS. SEGAL: Just because David is resigning or
23 terminating this RAB membership, are we okay on RAB
24 membership? Do we have other applicants or is that --

25 MS. MONAGHAN: We don't have any new

1 applicants.

2 MS. SEGAL: Okay. Our numbers are okay?

3 MS. MONAGHAN: I'm sorry?

4 MS. SEGAL: The numbers of the membership are
5 okay?

6 MS. MONAGHAN: Yeah, at the moment. We might
7 want to consider doing the membership thing this fall.

8 MS. SEGAL: Okay. Thanks.

9 FACILITATOR YOUNGKIN: Okay. We can talk about
10 membership at the committee meeting.

11 MS. MONAGHAN: Okay.

12 FACILITATOR YOUNGKIN: Any other comments or
13 questions?

14 MS. MONAGHAN: I'm sort of thinking that I'd
15 like to talk about land use controls at the committee
16 meeting too. Because we talked about it about a year
17 ago, and I'm trying to remember some of the issues.
18 I'll dig up my notes on that.

19 FACILITATOR YOUNGKIN: It seems to be --

20 MS. MONAGHAN: This is the first time we're
21 really deciding to do land use controls in a big way.

22 FACILITATOR YOUNGKIN: Right. Yeah, this is
23 sort of a unique situation with the developer.

24 MS. MONAGHAN: Yeah.

25 FACILITATOR YOUNGKIN: Okay. I'll add that

1 too.

2 MS. MONAGHAN: Thank you.

3 FACILITATOR YOUNGKIN: Any other comments,
4 questions? I'm seeing none.

5 Without objection, meeting adjourned.

6 (The meeting concluded at 8:35 p.m.)

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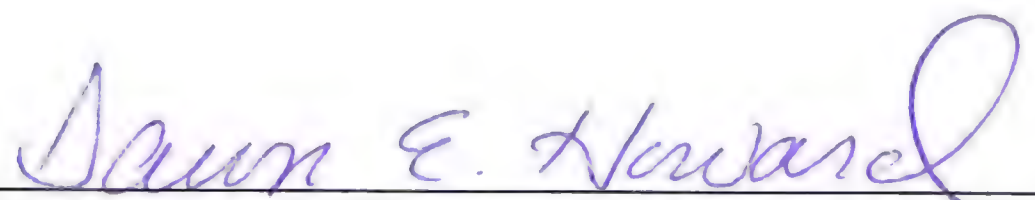
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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN FRANCISCO)

3 I, the undersigned, hereby certify that the
4 foregoing proceedings were held at the time and place
5 therein stated; that the foregoing is a full, true and
6 complete record of said matter.

7 I further certify that I am not for either or any
8 of the parties in the foregoing proceedings and caption
9 named.

10 IN WITNESS WHEREOF, I have hereunto subscribed my
11 name this 23rd day of June 2008.

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14 
15 DAWN E. HOWARD, CSR No. 13201
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PRESIDIO RESTORATION ADVISORY BOARD MEETING

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, JULY 8, 2008

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator

Mark Youngkin

Eileen Fanelli

Brian Ullensvang

Agnes Farres

Jan Blum

Sara Segal

Julie Cheever

Gloria Gee

Sam Berman

Jan Monaghan

Michelle Passero

John Chester

Barbara Newton

Toni Kramer

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on July 8, 2008, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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AGENDA

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1 FACILITATOR KERN: Welcome, everyone.
2 Welcome to the regularly scheduled meeting of the Presidio
3 Restoration Advisory Board. We'll get started. Sometimes
4 our summer meetings, with the vacations and other issues,
5 are not always well attended, but more people may trickle
6 in here.

7 I'd like to welcome the Presidio Trust and
8 any of the contractors, National Park Service, the
9 regulators, community members and any members of the public
10 that are here tonight, welcome to the meeting.

11 There have been agendas over on the table.

12 Does everybody have one of those? Are there
13 any changes or additions?

14 Seeing none, are there any announcements or
15 old business? We are ready to move on to Mark's Planning
16 Committee report.

17 MR. YOUNGKIN: Okay. We had our Planning
18 Committee meeting on June 24th, a regularly scheduled
19 meeting every fourth Tuesday, and we spoke mostly about the
20 same things we're going to continue talking about tonight.

21 We had an update on the reconstruction, and
22 we talked quite a bit about RAP4, the progress on that,
23 landfill 10 design, discussion on that.

24 We discussed landfill 8, and construction is
25 going to start in one year, and there was discussion about

1 starting a public process to determine the disposition of
2 the cemetery, and we had a pretty long discussion on that,
3 a whole page and a half.

4 The goal is outreach to affected parties,
5 foreign governments, native groups, organizations,
6 relatives, determine the respectful treatment of the
7 graveyard at landfill 8, and then we heard that the NPS was
8 researching cemeteries in national parks.

9 And so I think we basically decided to have a
10 meeting in thirty days, and the action items were set a
11 meeting in thirty days.

12 Doug is going to propose an agenda for that
13 meeting, and the RAB is going to do research on affected
14 groups and people to contact concerning the treatment of
15 the cemetery, and we agreed to no outreach to other groups
16 until after this meeting sometime this month, I guess, or
17 next month.

18 FACILITATOR KERN: Eileen has proposed a
19 meeting August --

20 MS. FANELLI: 19th.

21 MR. YOUNGKIN: -- 19th.

22 Then we ended up the meeting with a
23 discussion of land use controls and how they're being
24 administered at the Presidio.

25 We had a pretty good discussion of that and a

1 little bit of discussion about membership status and the
2 need to start up a membership drive this fall sometime so
3 we can have new items for January -- new members for
4 January '09.

5 That's it. So we have our next Planning
6 Committee meeting is on the fourth Tuesday. Hope to see
7 everyone there.

8 Thank you.

9 FACILITATOR KERN: Very good. We'll follow
10 up on some of that tonight during the next item.

11 Any questions for Mark?

12 MR. BERMAN: I think we also discussed the
13 membership situation of trying to get students from the
14 local colleges to be -- they might not be permanent long-
15 term members. They might give us some bright new face
16 ideas.

17 So I think -- I forgot who it was, but
18 somebody was going to contact San Francisco State and,
19 maybe some of the other colleges.

20 FACILITATOR KERN: It could have been me
21 after the meeting. I'm not sure I would have made such a
22 volunteer statement in front of everybody, but now that you
23 mention it, I probably did say something like that after
24 the meeting.

25 MS. PASSERO: I think you did say something

1 like that.

2 FACILITATOR KERN: Well, perhaps you have
3 re-made me aware of what I said, then.

4 So we will need to figure out something
5 for -- I can imagine the fall when people return, we could
6 have something together by then.

7 We do have a number of contacts over there,
8 various professors through other subjects, so it may be
9 possible.

10 Going on to item 5, then, RAP3 construction
11 updates.

12 MS. FANELLI: I have pictures for you.

13 FACILITATOR KERN: Pictures. We had a
14 meeting today that covered actually item 5 of RAP3 and
15 RAP4, so we have new pictures, new data thanks to the
16 reporter.

17 MS. FANELLI: Actually I will cover RAP3
18 where the pictures are and give you an update of RAP4 and
19 where we're moving the RAP5. Some of these are modified
20 from the slides from last month so you'll start to
21 recognize a pattern here.

22 So RAP3. These are sites. We've completed
23 three and we're at close to being completed at three
24 others, the building 1351, building 662 and sewer lift
25 station 1. Probably pretty close on building 680, as well.

1 There was a question in terms of the dollars
2 and where we are in terms of these dollars. These costs
3 are relative to the existing contracts that are let for the
4 construction and the construction oversight, and on some
5 sites like Nike facility, although we're only forty percent
6 complete, we're thinking that we might actually be under-
7 budget by about \$75,000.

8 However, we've seen sites like building 669
9 where we're estimating we're going to be half a million
10 dollars over budget, and that's being driven by the usual
11 culprits. Additional waste that's identified and a change
12 in its classification, usually based on soluble lead
13 concentration. This kind of gives you a rough idea.

14 We're looking at being around the budget.

15 MR. BERMAN: Could you remind us of the
16 additional COCs that were found at 669?

17 MS. FANELLI: Yes. I think that they're on
18 here, so let me adjust my eyes so we can see the screen.
19 669, that's the incinerator.

20 Is that right?

21 MR. BERMAN: I think so, yeah.

22 FACILITATOR KERN: It's the site out by the
23 incinerator,

24 MS. FANELLI: Yes. Metals is primary, but
25 because we found ash, actually incinerator ash out at that

1 site.

2 The RAP had additional sampling requirements,
3 and so we are taking two samples of that ash -- I believe
4 they were actually collected today -- and running those
5 analysis, and they're much broader.

6 I think it includes the PAHs and also
7 includes dioxins, things that might be associated with
8 incinerator ash. So we're taking a look at that.

9 FACILITATOR KERN: Building 669, I don't
10 know if you were going to get into it.

11 MS. FANELLI: We have pictures, yes.

12 FACILITATOR KERN: It's turned out to be a
13 full-fledged landfill. It's a big deal now.

14 MR. BERMAN: One would have suspected that
15 surrounding incinerator, unless it was a really active
16 conscious effort to remove all the residue, that it would
17 be a hot spot of some kind.

18 MS. FANELLI: What we've done is we do have
19 early topo maps of the Presidio and current topo, and by
20 overlying those, we were able to look and see where there's
21 been areas of fill and where there's been areas of cut, and
22 in front of that incinerator building, I say in front, out
23 the back in the incinerator building where we've been
24 finding the ash, there's a fair amount of fill, and a lot
25 of that happens to be ash.

1 What they did is they pushed it out.

2 FACILITATOR KERN: You may remember for
3 years we worked with the Army on this site and they claimed
4 there's a little ash out in the forest. Don't worry about
5 it, and it's several feet thick in places, and it's -- you
6 can see the melted glass, broken pottery, layers of metal.
7 It's really quite a dump area.

8 MS. FANELLI: So that just gives you an idea
9 of where we are cost-wise.

10 MR. BERMAN: Does that come under the
11 classification of undisclosed basis?

12 FACILITATOR KERN: I asked the same question
13 today.

14 MS. FANELLI: We're working on that. It's
15 not clear. It might be a difficult hurdle to make a claim
16 on the Army given the shape and form of the agreement that
17 we have.

18 It was always acknowledged that ash may be
19 found. The volume of course is much more significant than
20 we thought.

21 MR. BERMAN: Yeah, but it's moved the waste
22 classification up a notch, so the costs suddenly doubled.

23 MS. FANELLI: If we can make a successful
24 claim against the Army, we will certainly try to do so. So
25 we're looking at that, but I just don't want to hold out

1 any promise based on the agreement that that's likely.

2 We're evaluating it.

3 So this is just a picture of the transformer,
4 building 680. We're nearly complete at this site. There's
5 a few trees you can see very close to the excavation in the
6 foreground.

7 That tree has to come down for us to be able
8 to continue, and I think one of the trees -- and I can't
9 tell you which one in the background -- also had come down
10 to facilitate the excavation.

11 MR. BERMAN: Have the trees come down around
12 669? There was a --

13 FACILITATOR KERN: It happened a while ago.

14 MS. PASSERO: I just have one question on
15 the waste and whether its classification is known or
16 unknown.

17 Are the attorneys looking at case law around
18 that, too?

19 MS. FANELLI: Of the classification meaning?

20 MS. PASSERO: Just how do you classify -- I
21 don't know the exact terms, but if it's something that was
22 known versus unknown or undisclosed, it seems like there
23 would probably be cases out there that kind of get to that
24 term of at what point --

25 MS. FANELLI: We do have an agreement with

1 the Army that identifies fairly well what are enumerator
2 known sites and information about those sites versus
3 unknown sites, and within the agreement, there are
4 conditions that we have to meet, and one has to have not
5 been disclosed and not reasonably anticipated.

6 So there's hierarchy of hurdle that you need
7 to overcome to make a successful claim given our agreement
8 with the Army.

9 So, yes, I work very closely with our
10 attorneys on all of those contract administrative issues.

11 MS. PASSERO: All right.

12 MS. FANELLI: This is 669. So this is a
13 beginning look at that ash landfill. This is just a fence
14 with the beginning excavation.

15 In the very beginning, they took material out
16 of this area, and it was primarily overburden. There
17 wasn't really a lot of stuff underneath.

18 We were surprised that we hadn't found
19 anything of significance, and this waste had actually been
20 characterized in situ so that it could be excavated and
21 directly hauled to the landfill.

22 Then we got into this, and you can see here
23 vegetation, a relatively thick layer of overburden, which
24 was probably put there as a cover, as a cap, up to three,
25 four, five feet thick in places, and the material starting

1 with John there -- Mark in the field waist down is
2 basically the ash and it comes in a dark gray and light
3 gray and different flavors.

4 This is a picture of some of the debris in
5 that waste ash. You can see some of the bottles, metals.
6 I have no idea what this big thing is in front there.

7 FACILITATOR KERN: When I went out to see it
8 last week, it looked, you know, really, really nasty in
9 places, and the Trust, after a recommendation, did a
10 radiological survey of the site because it looked like
11 there was medical waste in this waste area.

12 So that came back clean, so people aren't
13 worried about radioactive materials.

14 MS. FANELLI: And that is a double-edged
15 sword. It came back clean, which is a good thing, but had
16 it had come back dirty, it clearly would have been a claim
17 against the Army.

18 So there's some of the debris. Here's
19 additional debris -- excuse me. That's not additional
20 debris. I thought I had some additional photos in here.

21 Now we're on to Nike where we're making good
22 progress. We're stopping a couple of -- it's still bird
23 nesting season, so we're not getting to certain areas until
24 the birds fledge and move along, so we've done some
25 excavations where we are, taking out some culverts and

1 storm drains.

2 There's an example of a trench that we've
3 taken out. And another one.

4 This is the swale area and we've done a lot
5 of shallow excavation. We've removed a lot of the ice
6 plant excavation, and this area actually right along this
7 road, we found on Thursday a UXO, so that kind of shuts
8 down for a while.

9 It turned out to be a cannonball, Civil War
10 era Confederacy. How it got there, I have no idea. We got
11 response from Travis Air Force Base, so they came out and
12 took care of it for us.

13 Because of that issue and because of the bird
14 nesting, we're actually working with the Army now to screen
15 the site for other UXOs before we go back out there.

16 MR. BERMAN: Wouldn't that bring a nice
17 price on eBay?

18 MS. FANELLI: It might. The Travis guys
19 took it.

20 MS. SEGAL: When we found it, was it with
21 hand equipment or was it --

22 MS. FANELLI: Actually they had plated this
23 road and there was a little round crown, so that caused
24 everybody to stop, pull back, caution tape the area and
25 called in Travis.

1 They x-rayed it or did some -- I wasn't there
2 when Travis was out there, but they did some work to
3 determine if had a fuse on it. Apparently cannonballs of
4 that era have fuses on it.

5 It turned out it did not. It was hollow,
6 didn't have a charge on it, so they got it out of the
7 ground and took it away.

8 MR. BERMAN: Now it was perfect to go on
9 eBay. Civil War relic.

10 MS. FANELLI: It was interesting.

11 MR. BERMAN: It would have probably brought
12 \$5,000.

13 MS. SEGAL: You didn't put a picture.

14 MS. FANELLI: I got a little pressed for
15 time. I'll try and remember to put a picture in for you
16 next time.

17 This is station 1. This is an area where
18 we've got dirty fill and a major excavation of sort of an
19 entire wedge, if you will, of fill exposed dirt.

20 This actually is actually ready for back-
21 filling at this point. But a lot of dirt.

22 Building 1351. We're basically completed
23 there. As part of that work, we did discover an old --
24 what we'll call a drainage ditch, if you will, that had
25 been armored or lined with sort of petroleum type product

1 to help facilitate drainage, and this is a picture of that
2 coming out. It requires a lot of hand digging because of
3 the proximity of the trees.

4 So a little bit of heavy equipment was used,
5 but then the rest of it's being done by brute force there.

6 Overall, even though we're going to exceed
7 what our contracts were let for, the Trust, as you know,
8 sets overall budgets for each site.

9 And so given the budget that was set for all
10 of these different sites, we're still working within the
11 published amounts.

12 We've contracted to date about two million
13 dollars. That's the 1998 at the bottom. Our budgets were
14 estimate at completion -- and we're evaluating these
15 numbers -- is 4.6 million, and so 2.3 likely even though
16 we're going to be over our estimate that -- in contract
17 amounts.

18 We're going to be under what is actually
19 published in our books as of this date. That's one of the
20 things that we're trying to do -- I'm trying to do with our
21 financial program is find these sites that are either over-
22 budgeted or underbudgeted and get them right budgeted so
23 that we can get a better idea of where we actually stand.

24 MR. BERMAN: Are the contracts already let
25 for the additional 2.3 million? They just haven't been

1 spent? Is that all that means?

2 MS. FANELLI: The contracts are let for the
3 1.988 and we have this other money. Some of this is --
4 actually this is just remediation phase dollars, so it
5 doesn't include restoration phase dollars.

6 They're not let. We likely will not let all
7 of that out. We likely will spend the rest of the six
8 million dollars, because that's our overrun on that. This
9 will allow us to move into other sites.

10 MR. BERMAN: So your estimated cost is going
11 to be somewhere around 2.6 million?

12 MS. FANELLI: I think so. That's a good way
13 to look at it, yeah.

14 MR. BERMAN: And what was the original
15 number? Can you remind us what the original estimate was?

16 MS. FANELLI: The original estimate -- well,
17 the original contract for the construction was 1.3, and we
18 had some moneys in there, as well, say about six, 700,000
19 for the oversight work and reporting and documentation, and
20 then some lab costs.

21 So probably will come in at -- overall at the
22 2.6, 2.7 I'd guesstimate.

23 MR. CHESTER: Is there a reason the columns
24 aren't shown?

25 MS. FANELLI: They're there. It's just a

1 poor choice of color. So I apologize for that.

2 It says -- the first column one is -- what
3 you see in that first column is the current period cost.
4 So that's for this quarter. So that's what we've spent
5 from January, February, March -- April through June.

6 Cumulative to date is the next column. Open
7 commitment. So that's how much we have contracted that's
8 open. It's encumbered, but it's not necessarily spent, and
9 then our current projections to complete, and the last
10 column is remaining.

11 So that will be the estimated completion
12 minus the open commitments and minus what's already been
13 spent.

14 MR. CHESTER: Thank you.

15 MS. FANELLI: I apologize for those colors.
16 Okay. That's RAP3. If there's any questions
17 on RAP3.

18 MS. CHEEVER: I think you said work on Nike
19 swale stops while they do a sweep.

20 Do you know how long that will take?

21 MS. FANELLI: It's mainly stopped because of
22 the bird nesting, which is an opportunity. We're stopped
23 until August 1st for that.

24 MS. CHEEVER: Oh.

25 MS. FANELLI: We're hoping we can convince

1 the Army to come out and do the sweep. Or else commit to
2 finding the funds so we can do the sweep with another
3 subcontract.

4 FACILITATOR KERN: And the transfer station
5 looks like it will begin work next week or the week after.

6 MS. FANELLI: That's correct. That's
7 correct. So we really have two sites that we haven't
8 started, transfer station and 633, and I'd have to go back.

9 Is it 630 -- do you remember, Brian, which
10 site it is that we haven't started? 633 is where the sand
11 is on?

12 MR. ULLENSVANG: I think so, yes.

13 MS. FANELLI: Yeah.

14 So RAP4 is moving forward. These are the
15 sites that are included in RAP4. We talked about them a
16 little bit last week -- last month.

17 There's a figure of these sites around PHS, and
18 what we have is landfill 8 at the top, and then the
19 area down at the bottom, we're really addressing it as
20 three areas.

21 There's the PHS fill, which is to the east.
22 Landfill 10, the upper deck, which is basically the current
23 parking lot for the Public Health Services Hospital, and
24 then the landfill 10 slope.

25 We talked a little bit about what the

1 remedies were. This again just summarizes that for the
2 fill area. We're going to rely on land use controls and
3 maintenance of an existing soil cover at that site.

4 Monitoring groundwater is part of all of the
5 remedies of the site, and I forget the total number of
6 wells that are there, but I think it's like twelve wells
7 that we will be monitoring.

8 The upper deck is going to be capped. It
9 will be covered with either asphalt or soil and it will --
10 we will take excess waste material from work we do on the
11 face of 10, and then to the extent we have capacity from
12 landfill 8 and consolidate it under -- under the deck of
13 landfill 10.

14 And then the landfill 10 slope -- I probably
15 should have brought a picture, so I'll try to get a picture
16 of these, a conceptual design picture for next month, but
17 we're going to grade it for seismic stability.

18 We're going to revegetate it to create a
19 vegetative cover of coastal scrub and take that excess
20 material and consolidate it, and we're going to also work
21 on the Mountain Lake pipeline in that area to slipline it
22 so that it's not a leaker in or out and continue to monitor
23 groundwater.

24 FACILITATOR KERN: Did you say that for the
25 top deck, soil or asphalt would be used to cap?

1 MS. FANELLI: That's correct. The cap is
2 specified at three different alternatives. So it could be
3 asphalt. It could be six inches with fabric or two feet of
4 soil without a fabric.

5 FACILITATOR KERN: Okay. It just -- I asked
6 the question because most of the time we talk about it in
7 terms of parking lot --

8 MS. FANELLI: Yes.

9 FACILITATOR KERN: -- and asphalt.
10 So is that really preferred or going forward
11 what's being considered?

12 MS. FANELLI: I think it's a combination of
13 both. Once the consolidation occurs, it will change the
14 elevations and require the parking lot to be modified, and
15 I believe the long-term land use up there does not have
16 quite as big a parking lot.

17 So it was smaller meaning that a portion of
18 the area is going to have to have a soil cap, and we're
19 going to be working with the designers for the Public
20 Health Services Hospital area to make sure that what is
21 constructed and built is protective and meets the
22 requirements.

23 MR. BERMAN: So is the soil from the grading
24 of 10 going to be used as the cover for the -- for the top?

25 MS. FANELLI: No. It won't be cover. It

1 will actually be put underneath the cover, so it will be
2 consolidated. It's waste and we're bringing it up and
3 capping it. So there won't be any human contact.

4 MR. BERMAN: So what -- what happens to that
5 material? Is it going to be taken off-site?

6 MS. FANELLI: No. It stays underneath the
7 cover of --

8 MR. BERMAN: Oh, after it's compacted.

9 MS. FANELLI: It's compacted and we put a
10 cover on top of it.

11 MR. YOUNGKIN: And the landfill is rising to
12 top elevation; right?

13 MS. FANELLI: That top elevation will
14 increase. And the extent, I can't tell you right now
15 because that design hasn't been completed. But we will be
16 getting into that shortly.

17 FACILITATOR KERN: Were you going to cover
18 what we're doing in our group meetings, what we did today
19 as far as the design stuff that we talked about?

20 MS. FANELLI: I don't think I was going to
21 get into the details because I didn't include the
22 conceptual design here, but I do have a schedule for
23 talking about design.

24 MR. BERMAN: What's the estimate of increase
25 of the expected compact and cover?

1 MS. FANELLI: I don't have a good answer for
2 you. I don't know.

3 I think that their plans are to modify the
4 elevation for a variety of reasons. Outside of
5 consolidating the waste. Part of it's for grading for
6 storm drainage directed away from the base of the landfill,
7 and I think part of it was just for lights and being used
8 as a parking structure.

9 I don't think it would come up -- I don't
10 know. I've heard between five and ten feet, but honestly I
11 can't tell you what the final design rate would be, and it
12 would be just on the lower end.

13 So that right now, it's kind of pitched to
14 the south. It's raised on the southern end. That's the
15 area of the consolidation.

16 MR. BERMAN: Instead of looking like a
17 slope, it would kind of end up being a level parking lot.

18 MS. FANELLI: That's the idea. I think
19 that's a desired outcome.

20 Landfill 8, we would clear and cover. If we
21 had excess material and we had capacity under the deck, we
22 would consider moving some of that material there.

23 We will continue to monitor groundwater, and
24 then of the firing ranges, the only site that actually will
25 have remedial work done is the CHP range where we have

1 contaminated soil, lead contaminated soil, primarily around
2 where they shot. Their pistols shot into the dirt and the
3 bunker. It's behind that site, and so we would be removing
4 that material and potentially backfilling based on what the
5 final disposition, how the historical people want that
6 bunker done, and then revegetating.

7 MR. BERMAN: Does the Highway Patrol have
8 any responsibility?

9 MS. FANELLI: That's a good question. I
10 don't know. This is area A.

11 Brian, do they have any controls?

12 MR. ULLENSVANG: I think they used it under
13 permission of the Army, so I don't think they do.

14 MS. FANELLI: I didn't think so. There
15 would be some history of contacting them by now.

16 What we talked about today was the beginning
17 of the some of the design. We have been preparing first
18 for the slope of landfill 10 what we call the design basis
19 memoranda.

20 It's basically engineering details, criteria
21 that will be done -- used for doing grading plans and other
22 work out there.

23 We will be doing similar documents for all of
24 the other sites. I don't know if you'd like to -- I did
25 not bring a copy of that. It's in draft.

1 FACILITATOR KERN: I can touch on some of
2 the subjects. I think people might be interested.

3 It talks about the stability analysis,
4 getting into more detail on how that slope would be
5 determined, what the various slopes along the face would
6 be, what are the -- the various seismic parameters, the
7 maximum credible earthquake number, the pCORE horizontal
8 ground acceleration.

9 Terms like this help. Once you factor in
10 what that earthquake is, then you design the landfill to be
11 stable for that kind of an event.

12 So we talked a bit about that today.

13 Just so people know, the maximum credible
14 earthquake that's being used for this site is the 1906
15 earthquake, which was a 7.9 event, and it's a little less
16 than five miles away was the epicenter.

17 So it's relatively close to the site, and
18 that would affect the stability of the -- of the site.

19 So there are stability issues. There are
20 clearing and grubbing requirements. This gets into -- so
21 there's not a disturbance of some of the Lysingia habitat,
22 but some of the other things that are on the face are
23 removed, because they're innovative species, matras, wire
24 weed, things of that nature that want to be removed.

25 Issues around the grading plan, and that's

1 what we were just talking about, optimizing where you take
2 the waste from, put it on the top, fill in holes, things
3 like that.

4 There's been a large discussion around
5 erosion controls, various curbs that prevent water from the
6 parking lot from running down the face. Collection swales.
7 Erosion control mats while the various plants are being
8 grown those first couple of years.

9 There's a revegetation plan where we're
10 discussing things like what is the spacing of the plants.
11 Apparently it's on two foot centers. What kind of plants,
12 coastal scrub.

13 There are various other zones where there
14 might be Lysingia habitat. So all that's being talked
15 about, and we're adding a few things as we go and
16 discussing those, all things to try to make sure that those
17 plants will actually grow.

18 So there's -- I think one of the things
19 that's being considered -- well, actually has been agreed
20 to is irrigation for the first couple years. So that's
21 getting quite a working over.

22 MS. FANELLI: So that document is sort of
23 addressing -- I would associate it with the last bullet.
24 It's part of our construction documents, if you will. It's
25 the original seismic criteria.

1 We have a schedule that identifies when we'll
2 get our thirty percent design document, which would include
3 plans and specifications, sixty percent, ninety percent,
4 and so we have a schedule so that we're trying to get done
5 in the January '09/February time frame with those
6 construction documents so they can be let and we could be
7 actually in construction in spring of next year.

8 FACILITATOR KERN: It's sort of my hope that
9 when this -- there are issues that the agencies are working
10 on, that when we get this more solidified in the
11 discussions between the agencies, that we can share this
12 material with you, because some of it will be the things
13 that community members will most easily want to comment on.

14 You can imagine cars parking up on that lot
15 and their lights projecting out at night into the homes of
16 people across the way.

17 Before we go out to the public, we want to
18 make sure that all of you know all these design issues so
19 that as many of those things as we can are covered and that
20 you're also -- it at least passes your test for what you
21 know people would be asking questions about.

22 So hopefully we'll have a good discussion
23 about this down the road.

24 MS. FANELLI: I think we'll probably have
25 many as we -- as we get through.

1 Parallel to that, we're working on our
2 environmental documentation, which includes the draft
3 feasibility study, and we have as part of that feasibility
4 study in appendix the additional remediation investigation
5 data that we did over the past several months.

6 That draft should be out for internal
7 stakeholder review in the next several weeks. We're moving
8 right along on that.

9 We're also beginning to use the project
10 descriptions, which I summarized on budgets, to begin to
11 draft our CEQA documentation, and actually some of the
12 design criteria memoranda support that, because it gives
13 you a conceptual idea of what the project is. It helps to
14 define the project more.

15 We'll begin working on the RAP, and the RAP
16 schedule is for us to have it out for public comment by the
17 end of September.

18 So again, we're keeping the pressure on this
19 RAP to move it ahead, and the goal is to have it approved
20 or certified by DTSC in December, and then we would finish
21 up our construction documents and we will be right out in
22 construction. So we're moving ahead.

23 FACILITATOR KERN: So along with this is the
24 clock is now ticking on the landfill 8 issue that Mark was
25 talking about that we began discussing at our last meeting.

1 We have it -- a meeting set for August. We
2 got a bunch of work to do before that meeting to try to get
3 ready for it, set an agenda, but this is the whole process
4 of okay. It's being proposed that we're going to grade the
5 area, put three feet of sand and make it dune habitat.

6 That's the current remedy, but that will
7 cover over the landfill that is covering over the cemetery.

8 And so this is an opportunity that -- what we
9 need to take advantage of is survey the legal territory,
10 the legal landscape. Is it really possible to do something
11 there?

12 And then beyond that, who would we contact
13 and all of that?

14 So this August 19th, I'm going to need your
15 help in setting that agenda and doing a little preliminary
16 work before that time.

17 So I know that Sara's helping me on that, but
18 if anybody else is particularly interested in this subject,
19 let me know. Because there are various people that can be
20 helpful to actually contact.

21 Sometimes I get buried in these meetings and
22 it would be helpful for a couple extra phone hands.

23 MS. FANELLI: I think we would like to get a
24 sense of the scope of the discussion just so we can have
25 the right people present, as well. I'm sure Park Service

1 is the same. What kind of staff we need to make available.

2 MR. BERMAN: Can I ask a question about the
3 parking lot again?

4 MS. FANELLI: Sure.

5 MR. BERMAN: What's the -- now that it's
6 going to be sort of level, it used to be the water runoff
7 was no problem. There's a slope that went right down to
8 that area behind the parking lot.

9 Now it's going to be level, so the whole
10 drainage of that parking lot looks to be like a different
11 issue.

12 MS. FANELLI: The drainage is actually being
13 taken care of by a combination of the Forest City
14 Development folks and the Trust folks that are working with
15 them between the parking lot and the hospital redesign.

16 So yes, there's going to be some realignment
17 of the storm drainage, but at this point, my understanding
18 is is that whole area is in San Francisco PUC service
19 district, so it will be connected most likely to San
20 Francisco PUC's drainage.

21 I can't tell you it will be really level. It
22 may just be different. It will be less steep most likely,
23 but I don't know if it will be ultimately level.

24 MR. BERMAN: Anyway, you don't expect a
25 drainage problem there?

1 MS. FANELLI: No. As a matter of fact, I
2 think the design that we're working for is to actually stop
3 any direct runoff that might have been happening from the
4 parking lot deck base to the landfill to make sure that we
5 don't have any type of erosion.

6 MR. BERMAN: Presumably the end of the
7 parking lot will have some kind of shrubbery to actually
8 hold the lip in place so it doesn't erode?

9 MS. FANELLI: Yeah. There will probably be
10 a series of catch basins for runoff and curbs and drainage
11 as well as vegetation, and I don't have a good handle today
12 on the vegetation.

13 For example, the landscape -- not a remedial
14 vegetation cover. The landscape that might be planned to
15 address things like lights and those parking lot issues,
16 but those are going to be worked out as we go forward.

17 MR. BERMAN: Who is financially responsible
18 for all that quality aspect of the parking lots?

19 I mean, presumably remediation is going to
20 pay for the asphalt, but what about all the other things,
21 the curbs and the sewer drains and the --

22 MS. FANELLI: A lot of that's covered under
23 the Trust Planning Group who has an agreement with Forest
24 City Developers and they've come up with some cost sharing
25 for who's doing what in terms of that development for the

1 building, for the parking lot and for the infrastructure.

2 But right now I believe that the parking lot
3 itself, the utility relocates is a budgeted Trust item, not
4 remediation dollars, per se, but planning dollars.

5 MS. BLUM: With respect to the treatment of
6 the storm water and sewage for Public Health Service
7 Hospital, that's going to be -- well, how did the City get
8 involved in the treatment of those matters? Was that
9 always auspices of the City?

10 MS. FANELLI: Right now the storm water from
11 the area currently discharges to SF-PUC, and it will
12 continue to discharge to SF-PUC.

13 MS. BLUM: It's going to be a much greater
14 amount that the hospital will be occupied?

15 MS. FANELLI: Not storm water, it won't.

16 MS. BLUM: Wastewater.

17 MS. FANELLI: The wastewater's a separate
18 system and I can't speak to that. I assume that the waste-
19 water from the hospital went to San Francisco beforehand,
20 but I'm not sure.

21 I don't know, Brian. Do you know anything
22 about the wastewater system?

23 MR. ULLENSVANG: Both the storm water and
24 other water went to the City, as all the sewage water goes
25 to the City. It's a combined system like the City is where

1 the storm and sewage are combined. Most of the Presidio is
2 not a combined system.

3 MS. BLUM: Thank you.

4 MS. FANELLI: Okay. So our working schedule
5 going forward. We're in RAP3 construction now. We will be
6 in RAP4 construction next calendar year, and then the
7 following calendar year, we hope to be in construction on
8 RAP5, and at this point, we have these sites that we are
9 beginning to do our final planning on, starting our
10 planning, moving our planning forward for landfill 2 and
11 fillsite 2, Poland Springs, Merchant Road fill area and
12 Baker Beach 2.

13 MR. BERMAN: Where is the E in that?

14 MS. FANELLI: E is in construction year
15 2011. And so when I say construction year 2011, that's
16 when we'd actually be constructing.

17 So the planning would actually happen a year
18 or two before that. So we would start the planning on E
19 towards the end of 2009.

20 MR. BERMAN: Mm-hmm.

21 MS. FANELLI: And this is working -- you
22 know, things can change. It's not necessarily set in
23 stone, but this is our plan, at least going forward.

24 And you've seen this schedule before I
25 presented it. You've seen this idea. Our objective is to

1 be done out in the field -- actually, to be complete with
2 everything by May of 2014, and that's what we're working
3 towards.

4 So that's what I have for presentation.

5 FACILITATOR KERN: On the slide previously,
6 I just want to reassure people that with Lobos Creek being
7 set out and Mountain Lake, there are other issues
8 associated with both those sites.

9 We have an ongoing program to try to leverage
10 Caltrans into actually doing something at Mountain Lake,
11 but my understanding of why it's positioned there is
12 because it doesn't have any funding currently for it.

13 That could change if we are successful with
14 our pressuring of Mountain Lake and Caltrans.

15 With Lobos Creek, there is an investigation.
16 There are lots of issues going on with that site. There's
17 a nitrate issue that we've talked about that in my opinion
18 needs to be addressed possibly sooner than this schedule
19 would indicate.

20 So we have that in perhaps a little bit
21 different process than the CERCLA process.

22 So we're kind of pushing that, because
23 nitrates that are getting into the creek are passing
24 through the treatment system and they're in the drinking
25 water. They're approaching the maximum contaminant level.

1 Certainly Devender knew this, and at the time
2 he seemed to indicate that it was getting close to
3 triggering action, not an official actionable event, but
4 because it's approaching the maximum contaminant level,
5 that it needs to be investigated.

6 So Lobos Creek is out there a ways, but it's
7 also in close.

8 MS. FANELLI: It sort of straddles sort of
9 drinking water, Department of Health Services and CERCLA
10 issues, and this is actual -- really reflecting the CERCLA
11 elements, not the health services end.

12 MR. BERMAN: Is it possible that one would
13 want to actually bring the Lobos Creek issue up a little
14 bit forward in terms of some preliminary analysis? Just so
15 that you have a more precise idea of what's involved.

16 Because it's so far out there that if you run
17 into a problem, it could -- it could continue past the
18 carriage turning into a pumpkin.

19 MS. FANELLI: We talked about actually
20 taking the sort of the non-CERCLA path and facilitate a
21 discussion. Much like we've been doing on Mountain Lake
22 and trying to get the right people there to address some of
23 those issues.

24 FACILITATOR KERN: Part of the issue there
25 was that we raised the nitrate issue outside of the

1 remediation department to other folks within the Trust and
2 they gave it to Craig to handle, and then so Eileen has
3 inherited it, and as indicated that well, this is really --
4 it could be argued whether it's a CERCLA issue or not, but
5 given the budget issues, trying to keep it separate so
6 other people will pay for it.

7 I'm also saying, though, when it comes to
8 that, we need to -- I kind of went with the process the
9 Trust did, putting it back in remediation, and for taking
10 it out, I'm going to raise it everywhere I can and it will
11 get out of control. It will get out into the public if we
12 don't handle it.

13 So that's our leverage on -- on that.

14 MS. FANELLI: I think much like we set up
15 this August meeting on landfill 8, we can do the same.

16 FACILITATOR KERN: Right.

17 MS. FANELLI: Try to facilitate the
18 conversation and get the right people out of the Trust in
19 the room to understand and grapple with the issue, and
20 certainly Agnes, we can talk a little bit more about that
21 data and see what involvement we would like to have.

22 FACILITATOR KERN: We've done the three-year
23 study that pinpointed where the nitrates were coming in.
24 This particular house, there's been new construction there.

25 You know, we're making those comments, but

1 currently that particular issue is kind of falling out of
2 anybody's bailiwick and now we're trying to put it back
3 into somebody's responsibility to handle, so --

4 MR. BERMAN: So is the nitrate source
5 actually a very recent source?

6 FACILITATOR KERN: I've been tracking it for
7 years. Actually, back to a report that Mark and I authored
8 back in 2000.

9 It was recognized that nitrates were high in
10 Lobos Creek. It was never actionable, but it's been
11 increasing steadily over the last three years.

12 MS. NEWTON: But it was subsequent to that
13 construction going on; right? Were you monitoring before
14 that or --

15 FACILITATOR KERN: Well, yes. I've been
16 monitoring for many years, actually, and the construction
17 looks like it's potentially related to this homeowner
18 possibly trying to fix a problem that may be associated
19 with it.

20 Maybe it's a sewer leak or something on their
21 property. Maybe they're trying to fix that.

22 So the construction is not related to
23 releasing it, but maybe trying to fix up some slumping or
24 subsidence on the property, something of that nature.

25 Maybe they don't realize that something is

1 leaking to the creek. It seems the most likely culprit for
2 the nitrates.

3 So as I said, we just need to get people back
4 in the room. Certainly our regulatory community in the
5 past has been able to move the City and other folks to get
6 things to happen, because people are drinking the water and
7 it's a human health risk when it reaches a certain level,
8 and we're approaching that level, so --

9 MR. BERMAN: But as far as you know, the
10 nitrates are coming -- it's got to be sewage of some kind.

11 FACILITATOR KERN: It's most likely that,
12 but the -- we're not seeing extremely high coliform in that
13 area. We're seeing low oxygen conditions. That would be
14 consistent with sewage.

15 Maybe the coliform is being filtered out
16 before it gets there. I'm not sure.

17 But from just an independent investigation,
18 there's plenty of validation and verification that nitrates
19 are -- the treatment plant acknowledges that their water --
20 their input water and our output water has high nitrates.

21 MS. SEGAL: Are there seasonal peaks?

22 FACILITATOR KERN: It doesn't really appear
23 to.

24 MR. BERMAN: Someone's running a big
25 laundromat in their basement; right?

1 FACILITATOR KERN: Possibly.

2 So I don't want to let that one go, even if
3 it's outside of the remediation department. Somebody's got
4 to deal with it.

5 So we mentioned the cemetery issue. Again
6 I'll just repeat. If there's anybody who would like to
7 help out on that, just send me an e-mail.

8 We should probably talk at least at our next
9 committee meeting further about this membership drive, how
10 many people do we want to get, the whole process of how we
11 want to do it.

12 I think we've kind of got this worked out
13 from our past experiences, but it does take several months
14 to go through the whole process, so we should get it
15 planned and initiated and get that going.

16 Any other thoughts on RAP3, RAP4 and the
17 future RAP end?

18 MR. BERMAN: It looks like very ambitious.
19 It looks like the momentum really starts getting high in
20 the last couple of years.

21 You know, it looks like a lot of activity,
22 and I just wonder whether there's going to be fallout from
23 CEQA, all that stuff happening there towards the end.

24 MS. FANELLI: We've tried to distribute the
25 sites in terms of the work fairly evenly. So I'm not sure

1 that CEQA will be the problem. It will be funding and the
2 mechanisms where we sort of go through the Army funds.

3 MR. BERMAN: I'm assuming that somehow the
4 funding will be there.

5 MS. FANELLI: Yes.

6 MR. BERMAN: And the action on the Presidio
7 will be pretty much a truck parking lot.

8 MS. FANELLI: It could be. You're right,
9 though. The schedule is aggressive, and it will take a lot
10 of work, but we're trying to do everything we can to
11 streamline and be a little bit more formulaic about the
12 items that we can be so that we can get it done.

13 FACILITATOR KERN: But there's going to be
14 construction every year from now to 2013, and a lot of
15 these documents, stuff coming out every year, and we're not
16 going to really be able to have two or three years to do a
17 RAP. We have to keep chugging away at this.

18 So even though we're getting into more and
19 more controversial issues, potentially, we still have to
20 work through them.

21 So part of what we're doing is really trying
22 to stick with a process that everybody gets their needs met
23 and the thing marches on. So we really don't have any
24 choice.

25 MR. BERMAN: In the past, one of the slow-

1 downs -- slowdown causes was DTSC. I know Bob isn't here.
2 He may disagree with that, but it certainly wasn't a
3 consideration, and he spoke of being able to have a second
4 person working.

5 And do you know if that's actually occurred?

6 FACILITATOR KERN: It has, yes.

7 MR. BERMAN: And so is the flow through DTSC
8 improving?

9 FACILITATOR KERN: From where I sit, I don't
10 see any of the stakeholders holding up the process due to
11 not having enough manpower yet. That doesn't seem to be a
12 problem.

13 Everybody is honoring the schedules. We had
14 a meeting today and people came prepared with comments on
15 this design document, and it's an aggressive schedule,
16 though.

17 Some of the people that were not in the room,
18 for example, engineers with DTSC that need to be contacted
19 and brought up to speed on some of the seismic parameters,
20 for example, that sometimes in previous years could take a
21 month or two to get somebody on and get them briefed and
22 comment coherently and now it's got to happen in a week and
23 a half or so.

24 So things are much more on a sharp schedule.
25 But that's my perception.

1 MS. FANELLI: I have found DTSC to be
2 responsive. They understand the schedule and they're
3 working with us on it.

4 MR. BERMAN. Yeah. So if you look at that,
5 this is sort of off the record, if that can happen here.

6 You know, if you look at this aggressive
7 schedule, as you say, where do you think is the most likely
8 weakest link in this chain?

9 MS. FANELLI: That's a good question.

10 MS. MONAGHAN: 2011.

11 MS. FANELLI: 2011 will be a tough year
12 because that's when a lot of the budget issues come to
13 bear, and so we need to be -- have a process and a vision
14 that can expand the budget forces that will be upon us, and
15 I don't know how it will work out, then, at that point.

16 FACILITATOR KERN: I would have to agree
17 with that, because in 2011, fillsite 1, landfill 2,
18 landfill E --

19 MR. BERMAN: Right.

20 FACILITATOR KERN: -- big dollar items.

21 MR. BERMAN: Yeah.

22 FACILITATOR KERN: And we'll be running out
23 of money right around then.

24 MS. MONAGHAN: And 6B.

25 MR. BERMAN: And there's a lot of public

1 comment associated with some of those things. I mean, when
2 I looked at that, I was saying, you know, depending upon
3 the amount and how much heavy duty public comment you get,
4 there could be some slowdowns to --

5 MS. FANELLI: Could be.

6 MR. BERMAN: -- deal with.

7 MS. FANELLI: We tried to identify the more
8 controversial sites. Like landfill 8. Mention it out
9 loud. Even though we showed it in constructionary theme
10 2011, it doesn't mean that we can't start talking about it
11 sooner than that.

12 So as long as we can keep sites in planning
13 and that planning moving ahead, we can maybe not construct
14 sooner, but we can start the planning sooner.

15 FACILITATOR KERN: One of the issues at
16 landfill 2, for example, given our experience with finding
17 all that material at Baker Beach 1, as George said, I would
18 really drill landfill 2 and make sure I understood how much
19 material was there.

20 So I'm sure something like that will happen
21 so we don't get any big surprises about double the volume
22 or whatever, and that can happen sooner than later.

23 MS. FANELLI: That will happen. That's a
24 RAP5 site, so that planning will begin as soon as I get the
25 resources applied, and the goal is to have that kind of

1 investigation initiate this fall, late this fall, most
2 likely, but this fall.

3 MR. BERMAN: Right. So with the
4 anticipation of 2011 as being the end of the bank account,
5 is there some really internal political effort to try to
6 aside looking for donations, to try to get something from
7 the Federal Government to complete the project?

8 I mean, because that requires some thinking
9 ahead of how to do that. Supposedly we'll wait until after
10 the November election, but soon after that would seem to be
11 an appropriate time to start thinking about that.

12 MS. FANELLI: There are discussions at the
13 Trust and finance group on how to address the funding of
14 the program going forward. But there's no decisions.

15 MS. BLUM: With all the changes being
16 proposed for the main post, how does that interface with,
17 for instance, RAP5, construction season where we're
18 really -- there's going to be an enormous amount of
19 building and disruption on the main post and in the general
20 area, it seems to me.

21 So do you get -- do you sit in on those
22 construction master plan -- I mean, there's Doyle Drive,
23 Tennessee Hollow.

24 MS. FANELLI: Yes. We do try to coordinate
25 with them.

1 MS. BLUM: Huge amount of construction.

2 MS. FANELLI: Our work will not be -- the
3 main work will be in landfill 2, fillsite 1 area, or we got
4 that reversed. It won't be in the main post.

5 We would like to have different entry and
6 exit routes from the Presidio. But our document would have
7 to take into effect -- the CEQA document would have to take
8 into effect the cumulative effects of multiple construction
9 projects.

10 FACILITATOR KERN: Other questions on that?

11 MR. BERMAN: Not a question.

12 FACILITATOR KERN: Yeah.

13 MR. BERMAN: I think it's very aggressive
14 and we wish you tremendous luck, because, you know, with an
15 aggressive schedule like that, any serious glitch --

16 FACILITATOR KERN: There's a big sleeper
17 issue embedded in that schedule, and that's the
18 miscellaneous sites.

19 MR. BERMAN: Or the unknown sites, yeah.

20 FACILITATOR KERN: Come from some 500. It's
21 been whittled down to 118, I think, and some of our sites
22 are actually running into the miscellaneous sites.

23 I think that happened today. We were at the
24 meeting. This building 669 landfill's expanding to a point
25 where some new sampling might actually -- I think, Brian,

1 you pointed out would actually be in one of these
2 miscellaneous sites that needs to be investigated so people
3 start saying well, make sure you test for the things we
4 think are going to be at that miscellaneous site.

5 I -- I have a major concern that within
6 that -- those hundred plus miscellaneous sites, there are
7 going to be the -- the normal curve would suggest you're
8 going to have two or three or four that are big and complex
9 and are going to take more than six months to review.
10 They're going to take a couple of years.

11 So we're going to have to also begin really
12 looking at those miscellaneous sites aggressively, too, and
13 that's just a whole new universe that we just don't even
14 know very much about it at all.

15 We don't know the names. We don't really
16 know where they are. At least I don't. Not like all the
17 other sites.

18 So that's a big potential hiccup. We have an
19 excellent group working on it.

20 Other comments on item 5A or B?

21 Agnes, do you have anything that you wanted
22 to talk about?

23 MS. FARRES: No.

24 FACILITATOR KERN: I would just say that on
25 the petroleum program, you're going through it and I'm

1 closing out a bunch of sites, and this is a really -- maybe
2 sort of tedious and doesn't get the same fanfare as a lot
3 of hauling out and digging out things, but I think it's
4 really critical for the program to account for all the
5 sites that have been closed out and to toot our horn about,
6 you know, literally hundreds of these sites that are being
7 closed out.

8 So many, many tank sites, and Agnes is doing
9 a lot of work to help us get all those closed out.

10 MS. FANELLI: We should acknowledge the
11 Regional Board has brought on extra resources. You brought
12 up interns. I don't know how many tanks you closed for us
13 yesterday.

14 MS. FARRES: I think about fifteen, maybe.

15 MS. FANELLI: Everyday now, we're closing
16 more and more. It's been very positive.

17 MR. ULLENSVANG: That was the 637 site, and
18 the tanks associated with that that just got closed out,
19 which for those of you who were here back in '99 --

20 FACILITATOR KERN: Back in '99.

21 MR. ULLENSVANG: -- the RAB was very
22 instrumental in completing that cap.

23 FACILITATOR KERN: That was one of the -- I
24 think that was the first major project the trust undertook,
25 and the RAB actually helped write part of the cap --

1 MS. FANELLI: Cool.

2 FACILITATOR KERN: -- during that time.

3 The public involvement section and several of
4 the members of the RAB were on that team and actually
5 reported out at a community meeting what their findings
6 were, and there was a lot of great involvement, and it's
7 been nine years.

8 MR. ULLENSVANG: It's done now.

9 MS. FANELLI: They're closed.

10 FACILITATOR KERN: So we're doing I think --
11 Eileen is doing a lot more to make sure that we get things
12 closed. It's just like this loose end, and if you've got
13 zillions of loose ends, it's just confusing.

14 I noticed it today. In the meeting we're
15 reviewing sites that had been worked on many years ago and,
16 you know, if we didn't have Brian and Michelle King and
17 people sort of noodling around, what would have happened?

18 That was like fourteen years ago. People are
19 trying to remember to put all this stuff back together to
20 close out the site. It would be much more efficient if we
21 were doing it right adjacent to when the action is done.

22 So I think that's going to happen.

23 MS. FANELLI: We're organizing. We're
24 organizing it.

25 FACILITATOR KERN: Right. Is there any new

1 business?

2 MR. BERMAN: Can I ask Agnes a question?

3 FACILITATOR KERN: Yes.

4 MR. BERMAN: To what extent is the Water
5 Board involved in the sewage and drainage problem at --
6 with Forest City and PHSH?

7 MS. FARRES: That would be regulated under a
8 different division at the Water Board. That would be under
9 NPDS or Watershed.

10 So I would have to coordinate with other
11 staff on that. Yeah. We're not always so good at
12 communicating among divisions, but -- but if you have
13 specific questions, I can find out.

14 MR. BERMAN: Yeah. I don't have a specific
15 question. It's just that it seems to me that it's a
16 possible area of concern, and I just didn't know whether
17 you would be involved in it or not.

18 MS. FARRES: Right. Yeah. It would be
19 permitted under different --

20 MS. SEGAL: Forest City plan, you have to
21 have the right permits to go into the whole sewage
22 treatment proposals and numbers and process. It would be
23 part of a total package I would --

24 MS. FARRES: Presumably.

25 MR. BERMAN: But that permit comes from the

1 City.

2 MS. SEGAL: No.

3 MS. FARRES: It comes from us, but
4 presumably whatever staff person is permitting it would do
5 that at some point, whenever we get there.

6 MS. SEGAL: Can I ask a question off topic?

7 FACILITATOR KERN: Yeah.

8 MS. SEGAL: You just mentioned the main
9 post. I'm just wondering if anyone here has gone on any of
10 the walking tours yet and gotten any kind of feedback from
11 the Park Service?

12 FACILITATOR KERN: I certainly have been on
13 one of the walking tours, and they were -- this particular
14 one that I went on had a number of senior Trust staff,
15 planners, executive management. They were walking us
16 around.

17 So it -- it was predominantly the Trust
18 position and their vision of what they were contemplating
19 out there.

20 MS. SEGAL: The public -- there's not good
21 advertising. I haven't had a chance to hear about the
22 proposals on the main post.

23 MS. BLUM: I would definitely recommend
24 everyone who is interested in the future of the Presidio
25 take advantage whenever you can. Every Wednesday and

1 Sunday.

2 MS. SEGAL: Two or three o'clock.

3 MS. BLUM: Two to 3:30 meeting at the
4 Officer's Club. Other people would ask a lot of questions
5 that we wouldn't think to ask. It's very beneficial to go.
6 Really sweeping changes are proposed.

7 FACILITATOR KERN: Yeah, Mark.

8 MR. YOUNGKIN: As far as the cemetery goes
9 at landfill 8, Doug has a document from 2006 on his
10 website. Is it on the Trust website, too or -- anyway,
11 it's real informative about the Public Health Service
12 Hospital cemetery at landfill 8.

13 So I encourage everybody to go read that.
14 It's surprisingly informative.

15 MS. BLUM: What's the site?

16 MS. SEGAL: What's the name again?

17 FACILITATOR KERN: The website is the Daily
18 Kernel dot com.

19 MS. BLUM: How do you spell Kernel?

20 FACILITATOR KERN: K-e-r-n-e-l.

21 MR. YOUNGKIN: It's a PDF document so you
22 can read it online. It's surprisingly informative.
23 There's some recommendations for further research.

24 Read those recommendations and see if there's
25 maybe more research that needs to be done.

1 MS. SEGAL: You mentioned the legal
2 landscape for landfill 8 issue. But I believe the Park
3 Service is doing -- are they doing -- is it doing
4 something?

5 MS. FANELLI: Yeah.

6 FACILITATOR KERN: I think the Park Service
7 and Trust have looked at various aspects. I don't know if
8 Park Service is having their legal department work on it.

9 I wouldn't think so, but they're putting me
10 in contact with --

11 MR. ULLENSVANG: We are now. The Trust
12 lawyer has contacted ours. So they're involved now.

13 FACILITATOR KERN: Okay.

14 MR. ULLENSVANG: But our cultural resources
15 division is where we're expecting our most fruitful
16 investigations, and so we've already given Doug one park to
17 contact -- we didn't have an individual there -- that may
18 have some helpful advice, and we're working through some of
19 the battlefield issues that were raised at the Summit and
20 trying to find somebody who had some experience that might
21 be helpful.

22 MS. SEGAL: And certainly I think -- and
23 that's the action items, to scope out the discussions
24 prior -- so we have that agenda before the August 19th
25 meeting.

1 But anyway, the right questions and the right
2 discussion items, et cetera.

3 FACILITATOR KERN: Any new business?

4 So action items. We have our membership
5 drive to kind of put together. I've been asked to get
6 ready for getting some San Francisco State students and
7 others here. Possibly City College might be another place.

8 We're going to be working heavily on the
9 cemetery issue. We've got Mountain Lake as always is out
10 there for us to be working on.

11 I would really like to get ahead of the curve
12 instead of waiting all the way to when the budget is
13 actually going through to actually be completely ready for
14 next year's budget process. That's probably already
15 beginning now, I'm sure.

16 So that's there. And we're going to be
17 reviewing this design basis memorandum with you pretty
18 soon. So that's getting ready.

19 MS. SEGAL: Is the landfill 10 slope?

20 FACILITATOR KERN: There's going to be one
21 of these for each element of the sites in RAP4. So there
22 will be one of these for slope and one for the parking lot,
23 what's called the top deck and one for landfill 8.

24 MS. FANELLI: There will probably also be
25 one for graded area 9. As RAP3 site goes into

1 construction. It's a construction document, and for CHP
2 range.

3 MS. SEGAL: Yeah.

4 FACILITATOR KERN: And it's a way of
5 starting the design process with a small paper that
6 identifies everything that people want to cover, and then
7 people -- consultants are hired to develop the specs and
8 all that other stuff.

9 So it's a great opportunity to get a lot of
10 input early into the process.

11 Okay. Action items we just went through.

12 Any agenda items -- yes.

13 MS. PASSERO: I'm just wondering. We were
14 talking about 2011 being the tough time frame in terms of
15 money running out.

16 Could it -- it would be nice to have a
17 broader conversation about the financing and funding issues
18 again and maybe get a sense of what kind of plan might be
19 put into play to -- you know, prior to that time frame, you
20 know, seeking additional funds or a buffer or how the whole
21 overall scheme and strategy might work.

22 FACILITATOR KERN: I one hundred percent
23 agree, and I don't think this is out of -- out of line to
24 mention, but I did note that the Trust, I think working
25 with Speaker Pelosi, has introduced a bill to alter some

1 parts of the Trust legislation.

2 One of the major items that was in that --
3 that's on that legislation. You can go to it and actually
4 find the legislation. I've got a posting on the Daily
5 Kernel that will lead you to all the elements of it, and I
6 think the Trust feels like they're in sort of the financial
7 self-sustainability.

8 They've kind of accomplished that, because
9 that part of the legislation that said the Presidio would
10 be sold off in 2013 if we didn't meet the financial goals,
11 that's being proposed to be taken out of the legislation.

12 There's also a provision in there where an
13 appropriation would be made for the fire and police for
14 the -- which is -- I think the Trust pays for the National
15 Park Service to do the police and fire protection for the
16 park, but it's being proposed in this legislation that that
17 would be appropriated in the future rather than paid for
18 out of the proceeds of the rental income.

19 That suggests that people are considering
20 other ways to raise funds, and it seems like that's a
21 fairly significant precedent to me to say -- put in a line
22 item that end funds will be appropriated to complete the
23 cleanup.

24 I mean, if there's a will within the Trust,
25 there's certainly a mechanism that's being used to

1 appropriate funds. That would be one way of considering
2 doing it.

3 So I think we should have that conversation,
4 and that would be one element of the portfolio of options
5 that we would have is legislation, appropriations and then
6 many of the other things we talked about.

7 So we should put that on an agenda item.

8 MS. SEGAL: The fire and -- the fire funding
9 will be Department of the Interior providing funding?

10 FACILITATOR KERN: My impression from
11 reading -- and this bill is --

12 MS. BLUM: It's a draft.

13 FACILITATOR KERN: It's in committee.
14 There's been no hearings on it.

15 The way I read it, it's that appropriation
16 would be made. I don't even get the impression that it
17 would be passed through the Trust. I'm not exactly sure
18 what the mechanism.

19 Maybe they would appropriate it. Maybe the
20 Trust would still pay for it. Maybe it would be to Park
21 Service directly.

22 MS. SEGAL: DOI doesn't get any funding for
23 the Presidio, does it? Does it depend on the whole
24 mechanism of the Trust and --

25 MR. ULLENSVANG: Well --

1 MS. SEGAL: -- income?

2 MR. ULLENSVANG: -- it's still administered
3 by the Park Service, and I believe there is funding that we
4 receive for that portion.

5 MS. SEGAL: In the DOI appropriation bill?

6 MR. ULLENSVANG: I believe so.

7 FACILITATOR KERN: So we do need to have
8 that. I would welcome anybody's ideas for how to structure
9 that kind of a meeting or conversation, because my
10 recommendation would be to continue to nudge the system to
11 propose ideas.

12 Maybe one result might be to produce a
13 findings paper, a list of suggestions, but things that we
14 had done our research on that we can introduce a resolution
15 or produce a paper, things of that nature.

16 We should just discuss how we might want to
17 convey these ideas.

18 It could be potentially we could propose it
19 for a Summit meeting to actually present the work. So all
20 those would be possible.

21 MS. BLUM: Doug, would this be something
22 you'd want to take up in the committee, this precise idea
23 that you're discussing right now?

24 FACILITATOR KERN: It seems like it would be
25 a good place to start and maybe form the group of people

1 that would want to work on it, bring it back.

2 MR. BERMAN: But as Eileen said, there is
3 actually action in the Presidio looking at this problem.

4 FACILITATOR KERN: Right.

5 MR. BERMAN: So it would be nice to know a
6 little bit about what's going on so that we can offer
7 additional hand to that rather than just starting out
8 lifting ourselves by our own bootstraps.

9 FACILITATOR KERN: I just said what I said
10 because I'm thinking the Trust probably wants to have their
11 own internal conversations, but if they want to share with
12 us, that's --

13 MS. FANELLI: I can't speak to the timing.
14 I'm sure this kind of conversation can happen. It can't
15 happen next month or probably even the month after because
16 we're not ready.

17 The Trust doesn't -- it's not our position
18 that the program's inadequately underfunded. We run out of
19 money, but that's why we have an insurance policy. There's
20 questions about coverage under the insurance policy.

21 So there's issues around that whole process,
22 and the suggestion to bring it up at a Summit is maybe a
23 good one.

24 Maybe think about how you'd like to have that
25 discussion happen, but recognize that we're in that

1 process, and I can't tell you how long it's going to take
2 us to work through that process, but we're doing it now.

3 It's part of the financial analysis that I've
4 been doing since I've gotten here in looking at what our
5 real liabilities are, where are we overbudgeting, under-
6 budgeting trying to get the system balanced.

7 MR. YOUNGKIN: I think you'd mentioned
8 August 15th as the date for the report.

9 MS. FANELLI: That's the next quarterly
10 financial report.

11 MR. YOUNGKIN: Okay.

12 MS. FANELLI: So you'll get a financial
13 report. We'll have modified and checked that, which I can
14 have checked by that point in time.

15 MS. PASSERO: Yeah. Whatever you're able
16 to, you know, share might be helpful. Just even if it's
17 just sort of a high-level conceptual. Just what you were
18 saying in the analysis, steps being taken would be helpful.

19 MS. FANELLI: No problem.

20 MS. PASSERO: Yeah.

21 FACILITATOR KERN: So we have at least the
22 idea of trying to carry this within the committee structure
23 to develop some kind of a meeting or conversation.

24 Other agenda items?

25 Are there any other items at all for the good

1 of the order?

2 Seeing none, then, without objection, thanks
3 to everyone for coming and meeting adjourned.

4 (The meeting adjourned at 8:32 PM).

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1 STATE OF CALIFORNIA)

2 COUNTY OF SAN FRANCISCO)

3
4 I, the undersigned, hereby certify that the discussion
5 in the foregoing meeting was taken at the time and place therein
6 stated; that the foregoing is a full, true and complete record
7 of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the foregoing meeting
10 and caption named, or in any way interested in the outcome of the
11 cause named in said action.

12 IN WITNESS WHEREOF I have
13 hereunto set my hand this

14 _____ day of _____,
15 2008.

16 
17 MARK I. BRICKMAN CSR 5527
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23
24
25

PRESIDIO RESTORATION ADVISORY BOARD MEETING

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, AUGUST 12, 2008

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator

Mark Youngkin

Brian Ullensvang

Bob Boggs

Agnes Farres

Peter O'Hara

Jan Blum

Sara Segal

Sam Berman

Julie Cheever

Gloria Gee

Julian Hultgren

John Budroe

Edward Callanan

Barbara Newton

Toni Kramer

Special Guests:

Jennifer Yata - Presidio Trust

Mohammad Bazaugani - SES consultant

Mike Beck - AMEC GeoMatrix

Alex Naugle - Regional Water Board

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on August 12, 2008, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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AGENDA

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1 FACILITATOR KERN: Welcome, everyone. This
2 is our regularly scheduled meeting for the Presidio
3 Restoration Advisory Board for August 2008. I'd like to
4 welcome the Presidio Trust, National Park Service, our
5 regulators from DTSC and Water Board and the contractors
6 for the Presidio Trust, members of the public here tonight.

7 Does everyone have an agenda? They are --

8 MR. BAZAUGANI: Okay.

9 FACILITATOR KERN: Are there any additions
10 or changes to tonight's agenda? Are there any
11 announcements?

12 MR. YOUNGKIN: I had a request to do a
13 repeat tour of landfill 8 and 10 before the committee
14 meeting. That's something that I think we could work out.

15 FACILITATOR KERN: We should talk about the
16 committee meeting because you and I won't be there, so --

17 MR. YOUNGKIN: That's right.

18 FACILITATOR KERN: Someone else will
19 actually have to give the tour.

20 MR. YOUNGKIN: Maybe that's not a good time
21 to do it, then. Maybe we should postpone it to September
22 before the next RAB meeting.

23 FACILITATOR KERN: Possibly.

24 MR. YOUNGKIN: Yeah. Do you guys have
25 another tour of landfills 8 and 10?

1 MS. BLUM: That might also give other people
2 some time that missed your advanced warning. Maybe you
3 could do it in big bold print or something that would give
4 them time to get ready after summer vacation.

5 MR. YOUNGKIN: How about after the first RAB
6 meeting in September?

7 MR. ULLENSVANG: That was September 9.

8 MR. YOUNGKIN: September 9th.

9 FACILITATOR KERN: Any other announcements?
10 There are a number of new faces around the
11 table tonight, so it may be worthwhile just going around
12 doing quick introductions.

13 My name's Doug Kern. I'm a community member,
14 and I live over on Clement and 34th, in that general part
15 of town.

16 MR. O'HARA: I'm Peter O'Hara. A community
17 member and I live in Cow Hollow.

18 MS. YATA: Jennifer Yata, Presidio Trust. I
19 am filling in for Eileen Fanelli at this moment.

20 MR. BAZAUGANI: My name is Mo Bazaugani. I
21 work for a company called SES. I'm the liaison for the
22 design of landfill 8 and 10.

23 MR. BOGGS: Bob Boggs, DTSC.

24 MR. BECK: I'm Mike Beck from AMEC
25 GeoMatrix. I work both the Trust on the RAP3 project.

1 MR. ULLENSVANG: Brian Ullensvang from the
2 National Park Service and I manage the environmental
3 programs for GGNRA.

4 MS. FARRES: Agnes Farres for the Water
5 Board.

6 MR. NAUGLE: Alec Naugle, senior geologist
7 with the Water Board. I guess I'm a supervisor. I thought
8 I'd show up and kind of let you see my face and know that I
9 exist and --

10 FACILITATOR KERN: Very good.

11 MR. NAUGLE: I hope to come to future
12 meetings.

13 FACILITATOR KERN: Welcome.

14 MS. NEWTON: My name is Barbara Newton. I
15 live on 3rd and Cabrillo in the Richmond.

16 MS. CHEEVER: Julie Cheever, also a
17 community member from the Richmond District.

18 MS. BLUM: My name is Jan Blum. I'm a
19 community member from the Russian Hill neighborhood.

20 MR. BERMAN: Sam Berman. I'm living in Cow
21 Hollow.

22 MR. YOUNGKIN: Mark Youngkin, community
23 member from Pacific Heights. Also community co-chair.

24 FACILITATOR KERN: We have a couple more
25 members that you might introduce yourselves as you're --

1 MS. GEE: Gloria Gee. I'm also a community
2 member.

3 FACILITATOR KERN: And.

4 MR. BUDROE: John Budroe from the East Bay.

5 FACILITATOR KERN: Well, it's important that
6 we get that, that we actually have members from the East
7 Bay and from Marin that come to our meetings.

8 Very good. Thanks.

9 Any other announcements before we begin
10 tonight? Mark, do you have our Planning Committee report?

11 MR. YOUNGKIN: We had our regularly
12 scheduled Planning Committee meeting on the fourth Tuesday
13 of July, that was July 22nd, and we covered three topics
14 that evening.

15 We had a construction progress report on
16 RAP3. That's the current construction projects that are
17 underway at the moment. We're going to talk about those
18 tonight again.

19 We also had discussion of RAP4, the progress
20 on the Remedial Action Plan for next year's work, and we
21 also had a discussion on the agenda for the upcoming August
22 19th meeting on the Marina Hospital Cemetery, and we're
23 going to talk about that more tonight, too, so kind of a
24 repeat of the committee meeting tonight.

25 And our next meeting is on the fourth Tuesday

1 of August, so hope to see you all there. Thank you.

2 FACILITATOR KERN: Except we won't be there.

3 MR. YOUNGKIN: Someone will be there.

4 FACILITATOR KERN: Someone should be there.

5 So we should probably tonight -- since you usually run
6 those meetings, Mark, we should try to get an alternate
7 before we go tonight.

8 If someone knows they can be there and would
9 like to lead the meeting. So we'll come back to that.

10 MR. YOUNGKIN: New business.

11 FACILITATOR KERN: Yes.

12 All right. So the ongoing reports are in
13 construction now. We have a bunch of RAP3 sites, and those
14 have been going. We usually meet nearly every week to talk
15 about the progress, and Jennifer and Mike are here to talk
16 a little bit about the RAP3 sites update.

17 MS. YATA: Okay. Thank you.

18 I'll be filling in tonight, as I mentioned.
19 I'm not project manager. I'll answer questions the best I
20 can. We'll go through some of the activities that are
21 ongoing now for RAP3.

22 So you mentioned before. RAP3, RAP4 we're
23 going to discuss this evening.

24 This is similar to sites you saw last month.
25 This is an update on the progress, percent complete for the

1 various RAP3 sites. Not much has changed, but a little
2 bit. Making progress slowly.

3 Building 680, we've done some work.

4 MR. BERMAN: What does the red mean on that
5 slide?

6 MS. YATA: The red sites are one hundred
7 percent complete --

8 MR. BERMAN: Okay.

9 MS. YATA: -- for the construction.

10 The summary slide, which is difficult to
11 read, but it's the site name and the description. Better
12 clarification of the class of waste disposal. That's the
13 primary thing that's changed since last time, and there is
14 an update to the cost, which is difficult and most likely
15 impossible to read probably from where you are.

16 MR. YOUNGKIN: Maybe you should read that
17 out loud.

18 MS. YATA: Volume update.

19 For the first site, Nike facility, it looks
20 like we'll have a cost savings of approximately \$75,000.
21 Nike swale, cost savings of potential \$75,000. Transfer
22 station, costs remain the same to date.

23 Building 669, it looks like there's a cost
24 addition of approximately \$500,000. I believe that is due
25 to waste classification, Mike; is that correct?

1 MR. BECK: Yeah. There's more waste than we
2 thought and it's hazardous, more hazardous than we thought.
3 So it's a combination of those two things.

4 MS. YATA: We'll have an updated slide,
5 detail, building 669.

6 MR. BERMAN: Is that all hazardous waste?

7 MR. BECK: There may be some RCRA hazardous
8 waste, because of lead.

9 MR. BERMAN: Has that been sampled already?

10 MR. BECK: We did some preliminary sampling
11 of the hot spots and it would be RCRA hazardous, but as the
12 bulk, it may not be. But the costs assume that. At least
13 some of it will come up as RCRA hazardous.

14 MR. BERMAN: From the sampling, can you
15 estimate what volume is going to be in that class I
16 category?

17 MR. BECK: Yeah. They -- we're estimating
18 at this point about ten percent, and the volume -- I don't
19 recall the volume. I think we're around 4,000 yards.

20 So, yeah. In the 4 or 500 cubic yard range
21 potentially RCRA hazardous.

22 MR. BERMAN: And that's lead that came from
23 paint around the building?

24 MR. BECK: The source is in incinerator ash
25 from the former incinerator at that site. So metals tend

1 to accumulate in ash from the parent material that's been
2 burned.

3 FACILITATOR KERN: For those of you who
4 don't recall, building 669 is right near the cavalry
5 stables and it's right in front of them.

6 It was the site that we discussed --

7 MR. BERMAN: Yes.

8 FACILITATOR KERN: -- with the Army for many
9 years.

10 There's not much there. There's a little ash
11 maybe out there in the woods, and it turned out to be
12 several feet thick. So that's partly why Mike was saying
13 that there has been a substantial increase.

14 This is basically a small landfill.

15 MR. BERMAN: Does that go under the category
16 of new discovery in terms of the MOU?

17 MS. YATA: I'll have to speak with Eileen
18 what the definition is for a new site. Transfer station
19 was known, and what the definitions are. So I can't really
20 answer that because I don't know the answer.

21 MR. BOGGS: Having talked with Eileen, I
22 know she is pursuing discussions with the Army that this is
23 far and above what was anticipated prior to their
24 agreement.

25 MR. BERMAN: Mm-hmm.

1 MR. BOGGS: So I think the Trust is hoping
2 to get some recovery from the Army. Although it was a
3 known site, it was a listed site and generally doesn't
4 cover scope growth.

5 This site has some characteristics that might
6 lend themselves to a claim. I think it's not going to be
7 an easy claim.

8 MS. BLUM: That little out building off
9 Lincoln looks like it's sitting at a pretty precarious
10 angle.

11 Is that in danger of falling over?

12 MS. YATA: Which one?

13 MS. BLUM: The brick building that's down
14 from Rincon that you have a big scooped out area.

15 MS. YATA: The incinerator.

16 MS. BLUM: Is that okay?

17 MR. BOGGS: It's the incinerator.

18 MS. BLUM: That's not in any danger of
19 falling over, is it? Is that coming out?

20 MR. BECK: She may be talking about the 680
21 site.

22 MS. BLUM: It's not. I'm not sure what it
23 is.

24 MR. BECK: That's near Lincoln. The
25 incinerator is off of McDowell. There's two buildings that

1 are pretty close to excavations that we're doing right now,
2 but neither of them are -- actually, there's three.

3 We've been very careful so that we're
4 creating a proper slope so that we don't impact the
5 building.

6 The contractors have been preparing
7 excavation protection plans that specifies exactly how much
8 slope. They've got signed off by a structural engineer.
9 So we're comfortable that there won't be any impact.

10 MS. YATA: So --

11 MR. BERMAN: Just a comment. You know, it
12 seems that everybody kind of knows that when you have an
13 incinerator that is ash and that ash is a place where you
14 get heightened densities of metals.

15 So it seems kind of weird that the site was
16 brushed off as more or less a piece of toast when, in fact,
17 it was -- it's much more hazardous than originally thought,
18 and -- I mean, it's not as if it was some office building,
19 but an incinerator after the fact everyone says, "Well,
20 yes, it's an incinerator."

21 Sure you might expect that, but why wasn't
22 that somehow thought of initially?

23 It just strikes me as being -- the whole idea
24 of brushing off an incinerator in the place that's
25 harboring off this toxic waste on the site, anyway, seems

1 to be incongruous.

2 MS. YATA: Right. I believe there was an
3 initial sampling by the Army and perhaps the targeted
4 depths didn't fully characterize the site, and with further
5 investigation, I think more was learned about it which may
6 or may not have -- it should have been known ahead of time.

7 I can't speak to that. I wasn't here or
8 involved with it.

9 FACILITATOR KERN: It turns out there was
10 pretty thick overbear over the top of this ash layer, so I
11 think in part that's why it was overlooked.

12 But I'm sure the Army knew how much they put
13 over the top of that site, too, so I think they were trying
14 to get out from underneath it.

15 MS. YATA: So quickly move through some of
16 the other sites.

17 The next site on the slide, building 1351,
18 which is one hundred percent complete regarding budget.
19 That came in at cost savings.

20 Building 633 fire range has not been started
21 yet.

22 Cold storage bin is a complete project.
23 There is a cost savings, cost addition associated with
24 that.

25 Building 662 just about complete, ninety

1 percent complete.

2 Additional costs, I believe that's due to the
3 class I material, more class material to expose of.

4 Building 1167, which is one hundred percent
5 complete, at budget. Former railroad tracks area, one
6 hundred percent complete. Additional cost there of
7 \$10,000.

8 Building 680, ongoing. Right now we have it
9 on budget. Potentially could grow, and station number 1,
10 one hundred percent complete, and there was additional
11 budget spent on that site, as well.

12 Just some photographs of the work that has
13 happened since last month. This shows the building 680
14 site, transformer area, an overexcavation. You can see
15 Lincoln Boulevard in the background.

16 There's still some ongoing sampling that
17 needs to be done. We found some areas of PCB, so more work
18 to be done in this area.

19 FACILITATOR KERN: That particular site --
20 people may be interested to know -- was actually excavated
21 by the Army many years ago, and then Mike and his crew have
22 been out here doing repeated excavations, chasing these
23 fairly low, but above cleanup levels of PCBs, and
24 particularly you had to take out that tree.

25 Is that --

1 MR. BECK: There actually -- last month
2 there was a photo of the same area with two trees that we
3 said we were going to take down. This is the same area.
4 The trees are gone, and we've dug a little bit further to
5 the east.

6 FACILITATOR KERN: We have maps that show
7 these progressive stepping out of the removals that are
8 ongoing at the site.

9 MR. BERMAN: Considering that it's a
10 transformer station, you would expect PCBs, and of course
11 the Army is certainly expecting it. They did their
12 cleanup.

13 MR. ULLENSVANG: Sam, they actually at that
14 location took their leaking PCB transformers and stored
15 them there. So they fully expected PCBs there.

16 MR. BECK: And they did a remediation to a
17 different standard.

18 MR. ULLENSVANG: Right.

19 MR. BECK: They cleaned up to a human health
20 standard, and we're going back doing the fringes that were
21 still above an ecological standard.

22 It's kind of been a challenge because the
23 ecological standard is very low. We're trying to get the
24 halo of the material that the Army left, and without taking
25 too much dirt that might be clean. That's why it's taken a

1 lot of iterations.

2 MS. YATA: This photo shows the building 669
3 area, which is adjacent to the former incinerator, and this
4 shows work up in that area. We're removing material.

5 Building 669 area again. The description on
6 top says: "West wall of the excavation containing three to
7 four feet of burned debris and ash overlain by a compacted
8 soil cap."

9 Ash contains dioxins, furans, PCBs and PAHs.
10 Radioactivity has been ruled out.

11 FACILITATOR KERN: You can see with that guy
12 standing there how much material they would have had to
13 have sampled through to get to the ash, and it was
14 incredibly dense covered with brush and vines and things,
15 so --

16 MS. YATA: Another photo of the debris in
17 the 669 area. The caption says: "Burned debris consists
18 of glass, metal, ceramics and other medical supplies
19 associated with the Presidio's former medical facilities."

20 It's various debris.

21 FACILITATOR KERN: You can see vials and
22 actual medical waste in this stuff.

23 MS. YATA: Going to the next site, the Nike
24 facility, this photo shows drain inlets and pipes that
25 carried the wastewater away from the magazines and is being

1 removed as part of the cleanup.

2 Just more shots of the Nike area. Storm
3 drain ran around the perimeter of the upper magazine and
4 Nike facility.

5 And more photos of the storm drain trace.

6 FACILITATOR KERN: So actually trees needed
7 to be cut down to carve this path to get out this
8 contamination. It could be a good site for a new walking
9 path now.

10 MR. BOGGS: This is where they found the
11 hydrazine canister.

12 MS. YATA: This slide shows the Nike swale.
13 Samples have been staked and sampled south of the former
14 Nike facility. Surface water from Nike was released on to
15 these slopes. This area is formerly had ice plant cover.

16 More Nike swale. Excavated area haul road to
17 Nike facility. A cannonball was found along this haul
18 road. UXO construction support plan being implemented.

19 UXO stands for unexploded ordinance.

20 FACILITATOR KERN: I think right about where
21 that picture was taken, there was some mercury found in
22 that area.

23 Is that --

24 MR. BECK: Yeah. The mercury area would be
25 right in the foreground of the photo.

1 FACILITATOR KERN: Right.

2 MR. BECK: I think this was taken right from
3 the south side of area 4.

4 FACILITATOR KERN: So it's not clear why
5 that was occurring, but that was found in that spot.

6 MS. YATA: And this is a photo of the
7 cannonball, and I understand it was a Civil War era
8 cannonball that they found during the Nike swale
9 construction work.

10 It didn't have any detonation charge in it,
11 but we didn't know that until after it was tested.

12 MS. BLUM: So you blew it up?

13 MS. YATA: No. Army specialists came out
14 and looked at it and they determined that it didn't have
15 any charge in this particular cannonball.

16 Next site, this is transfer station area.
17 Clearing and grubbing complete and soil precharacterized
18 for off-site disposal. There was actually very little
19 debris.

20 FACILITATOR KERN: We had the opportunity to
21 go out to that site today, and look at this, and I don't
22 know if you remember out in the forest area below the
23 transfer station, there appeared to be a lot of debris
24 scattered out in the forest.

25 We went in and just pulled out all this ivy

1 and stuff, and it turns out much of the area that was
2 thought to may have contain debris does not appear to have
3 debris.

4 But there is a substantial thickness right
5 near the original transfer station that does contain a lot
6 of trash and debris, so that will probably be excavated all
7 the way.

8 But way out in the forest, it looks like we
9 may get off easy there. It doesn't appear, but there's
10 going to be confirmation sampling, things of that nature to
11 make sure that there's nothing out there.

12 MS. YATA: Next slide, remediation budget
13 status and update of various projects.

14 MR. YOUNGKIN: What's it say in the white
15 area?

16 MS. YATA: The first two columns, "current
17 period cost." The first column is April 16th, '08 till
18 June 30th, '08. The second column, cumulative to date;
19 third, open commitments to date; fourth column, estimate of
20 completion, which is our current projection, and the last
21 column is what we have remaining to complete the project.

22 So for a total estimate of completion, the
23 bottom line number is about 4.7 million.

24 FACILITATOR KERN: Does this chart, then --
25 it doesn't show what may be over or underbudget projected?

1 MS. YATA: This, I believe, is a summary of
2 where we think it will land. There's some under, and I
3 believe they've calculated the estimated overages.

4 MR. ULLENSVANG: How do you read the
5 underages and overages?

6 MS. YATA: It doesn't show on this table.
7 That's where they broke it out per site with the estimated
8 savings and overages.

9 MR. BERMAN: The next to last column is the
10 total expected cost, right?

11 MS. YATA: That's correct. Estimated
12 completion.

13 MR. BERMAN: And the last column is the
14 amount that was budgeted?

15 MS. YATA: Yes. Procured to complete the
16 work.

17 MR. YOUNGKIN: Remaining.

18 MR. BECK: That's how much.

19 MS. NEWTON: That's what's left.

20 MS. YATA: That's right.

21 MR. BOGGS: Overbudget would be the fourth
22 column minus the third and fifth.

23 MR. BAZAUGANI: Yes.

24 MR. BOGGS: Because the third is the
25 cumulative. The fifth is what you anticipate to complete

1 and then your current projection is the number 4.

2 MR. BERMAN: But if you do a crude
3 calculation of that, it almost looks like it balances out;
4 right?

5 MR. BOGGS: It looks like 400 K.

6 FACILITATOR KERN: Four or 500 overbudget.

7 MR. BERMAN: Yeah, but I mean not a -- if
8 you round it off in millions, it's roughly --

9 MR. BOGGS: Ten percent.

10 MS. YATA: And that's at this point in the
11 project.

12 MS. BLUM: I wonder if it would be possible
13 to download these charts of numbers to us in advance of the
14 meeting. Because some of us are a quick study, but others
15 aren't, and I can't read any of that, basically, so I can't
16 follow along with what you're doing.

17 MS. YATA: Sure. I'll mention that.

18 MS. BLUM: Budget numbers and columns of
19 numbers, if it's all possible, you can print it with the
20 agenda. Maybe that won't work. I don't know, but if you
21 could give us a handout, that would be helpful.

22 MS. YATA: I'll mention that to Eileen.

23 MS. BLUM: Thank you.

24 MS. YATA: And then top six, more numbers.

25 MS. KRAMER: More numbers with no heading.

1 MS. YATA: Choose a different color. Again,
2 current project -- current period cost, the first two
3 columns. Third column estimate to complete, and fourth,
4 fifth and sixth column, estimate to completion, and column
5 number 7 is the percent change which appears to be zero.

6 MS. BLUM: Yeah, it does.

7 MS. YATA: I don't think that's correct. I
8 didn't update this slide, but I don't think that's a
9 correct number.

10 So I will ask Eileen to provide clarification
11 for the RAP3 budgeting items for the next meeting, at which
12 time I think they'll have more progress and kind of
13 definition the numbers and a handout in advance.

14 MR. BERMAN: What is the estimated sort of
15 sum total out to project end of the groundwater monitoring?

16 MS. YATA: On that previous slide, I -- was
17 it ten million dollars? Yeah. Estimate -- current
18 projection is 10.2 million dollars.

19 MR. BERMAN: And that's out to the -- to
20 completion of all the groundwater monitoring Presidio side.

21 MS. YATA: All of the information I have, I
22 didn't create the numbers -- is current projection.

23 MS. NEWTON: That's what it says.

24 MS. YATA: I believe that's for the --

25 MR. BERMAN: Yeah. The numbers don't jive

1 with my memory, so Doug, do you remember groundwater
2 monitoring being --

3 FACILITATOR KERN: It was originally
4 budgeted around ten million dollars for the whole thing,
5 and steadily over the years, it's been tried to be money
6 saved on -- by eliminating an lids and quarters and stuff.

7 MR. BERMAN: So I thought it was actually an
8 appreciable savings.

9 FACILITATOR KERN: Yeah, that doesn't
10 seem --

11 MR. BERMAN: And that doesn't show up in
12 here at all. I got the impression that a lot of the
13 groundwater monitoring was being curtailed because it
14 wasn't necessary anymore, and that therefore there was an
15 expected savings in that.

16 MS. YATA: I'll have to ask -- I believe
17 Eileen put this slide together, so I'm not sure where the
18 numbers originated, but I -- the best I can do is have
19 confirmation at the next meeting or clarification with
20 follow-up of what the numbers actually represent.

21 MR. BERMAN: So, I mean, in your sort of
22 overview of things, is there -- is there going to be
23 savings in the groundwater monitoring?

24 MS. YATA: I know that's the goal in trying
25 to tailor the program for what's needed and looking at

1 analyte lists that are appropriate for various sites.

2 I know that is a very high goal that we have
3 to reduce the cost of the program.

4 I'll let Mo take over.

5 FACILITATOR KERN: Just going back, there's
6 something that's sticking in my head. Over the many years
7 when we've been developing these reports -- and I think
8 something is being lost a little bit in the translation
9 here -- we asked for a report that would show the top
10 most -- the top six projects that spent the most money in
11 the last period. So we wouldn't have spent ten million
12 dollars in the last period on groundwater monitoring.

13 So that -- having that particular one in that
14 report is not what we were trying to get when we asked for
15 that report. The object was show us the most active dollar
16 projects in the last period.

17 There was another one that we were asking
18 for, which I don't see here, which was the report that
19 showed the biggest change in the estimate. Any -- the top
20 six projects where there was the biggest change.

21 So it's interesting, too, with the headings,
22 Eileen has been here before where the same thing happened.
23 So, you know, once is kind -- we got to have these -- these
24 are really essential reports that this group worked for
25 years to get those reports so we could actually read them

1 and see them.

2 It's not your fault. I'm not saying this,
3 but I think the members are being very polite tonight.
4 These are essential reports, and we've got to be able to
5 read them. We've got to be able to read the piece of paper
6 and they've got to be the reports that we asked for over
7 those years and developing them.

8 I know Eileen's not here to respond to that.
9 I've certainly made a note. It's kind of getting away from
10 what we asked for.

11 MS. NEWTON: It would also be nice to get
12 them before the meeting. I think it would make our
13 meetings more efficient. We'd have more time to assimilate
14 them before and speed things up or get some things done
15 beforehand.

16 MS. YATA: I'll relay that request to Eileen
17 and try and provide the numbers with an agenda that goes
18 out so they can be reviewed in advance, and work on the
19 graphics for better clarity of the slide.

20 MS. KRAMER: Yeah.

21 MS. GEE: I think it would be useful before
22 the next meeting if her office can correct this in a way
23 that we can get it electronically before the next meeting.
24 As soon as possible.

25 MS. YATA: Okay.

1 MS. GEE: If she already has it and the
2 headings don't show, it's just a matter of tweaking it.
3 Annotate the columns clearly so that we know -- if some of
4 her tables aren't complete yet, she should indicate that
5 it's like a work in progress, because I don't understand
6 why that next to the last column, what that is, the blanks.

7 MS. YATA: It doesn't say anything.

8 MS. GEE: But what's the heading?

9 MS. YATA: Increase/decrease.

10 MS. NEWTON: There's no change.

11 MR. ULLENSVANG: It looks to me like Eileen
12 may have updated her estimate. So the current projection
13 is the same as the previous estimate, and that's why
14 there's no change and no difference.

15 MS. BLUM: Sure.

16 FACILITATOR KERN: This is kind of getting
17 away from tracking the changes.

18 MS. KRAMER: Right.

19 MS. YATA: It's a statement of where it is
20 at at this point in time, but not a change.

21 MR. BERMAN: Is there any problem with
22 confidentiality on these numbers?

23 MS. YATA: Not I am aware of. I believe
24 it's all public information.

25 MR. BERMAN: Right. So there's no problem.

1 There's no administrative problem in having some advanced
2 information.

3 MS. YATA: Not that I'm aware of, no.

4 MR. BAZAUGANI: RAP4 sites. RAP4 covers the
5 PSHH area, landfill 10, PSHH fill, top deck and slope. It
6 also includes the firing ranges, Lobos Creek target butt,
7 Lobos Creek protected range, and California Highway Patrol
8 or CHP range and the machine gun butt area.

9 The remediation sites in the remediation are
10 the PSHH area, landfill 8 and landfill 10. What we're
11 doing is we're coordinating the remedial construction with
12 the other site activities that are slated to happen in the
13 next couple years.

14 Trust is improving building 1808. Building
15 1808 is right here. There's utility upgrades that are
16 happening.

17 The utility upgrades are taking up the
18 parking lot and the PSHH area, and they're doing upgrades
19 in this area to allow for the construction and occupation
20 of building 1801.

21 And then Forest City is doing the development
22 in building 1801. These wings of the building are going to
23 come down between now and December.

24 So there is lead and asbestos abatement and
25 then demolition of those wings that are going to happen

1 between now and then, and after that, there's going to be
2 construction activities, remodeling activities and then
3 right in this area, the Belles Avenue, there is eight or
4 ten townhouses that are being built by Forest City.

5 MS. BLUM: Oh, I thought the Trust was going
6 to be undertaking the renovation of those, on the eight
7 townhouses.

8 MR. BAZAUGANI: No. There are -- the Trust
9 is taking over the renovation of the buildings that are
10 here.

11 MR. BERMAN: These are new ones.

12 MR. BAZAUGANI: The existing ones.

13 MS. BLUM: Okay.

14 MR. BAZAUGANI: And Forest City is building
15 eight new townhouses.

16 MS. BLUM: I missed that. Thank you.

17 MR. BAZAUGANI: That was presented at the
18 meeting last Tuesday.

19 MS. BLUM: I misunderstood.

20 MR. BAZAUGANI: So the areas that are
21 undergoing remediation, remedial construction is landfill
22 8, graded area 9, landfill 10 and PHSH fillsite.

23 So for the remedial construction, there is
24 the PHSH fillsite, which is only the land use restriction
25 that is going to be placed on it. There's no remedial

1 construction that's going to be taking place at the PSHH
2 fillsite.

3 The Lobos Creek target butt, there's no
4 further action. The Lobos Creek protected range, there's
5 no further action. The machine gun butt, there's no
6 further action as outlined in the RAP.

7 For the CHP range, the design is in early
8 development, and we expect thirty percent design to be
9 completed by September.

10 And then the next step for RAP4 are the draft
11 feasibility study for PSHH landfills. The draft right now
12 is under review by the stakeholders. The Trust is in the
13 process of preparing the CEQA documentation, and it should
14 be ready by August 15th to be submitted to stakeholders for
15 review.

16 The Draft RAP is scheduled for September of
17 2008, and scheduled for public review of October and
18 November of 2008, and at the September meeting, we'll be
19 presenting a thirty percent design for the -- for the
20 landfill 10 and landfill 8 areas.

21 MR. BERMAN: What were the primary COCs in
22 the CHP firing range?

23 MR. BAZAUGANI: I believe it's lead.

24 FACILITATOR KERN: With respect to RAP4,
25 there's a lot more that's actually going on, and Mo is kind

1 of in a central position around those sites. He's working
2 with the Forest City folks and a lot of the other
3 contractors to make sure that the landfill 10 design is
4 consistent with redevelopment designs.

5 We've spent a lot of time on the remedy for
6 landfill 10 trying to start with a foundation piece is the
7 seismic analysis.

8 I did have a meeting with Mo and Eileen and
9 Tariq who have done that seismic work and kind of been
10 through their calculations and all the equations and a
11 sensitivity analysis about all of that work and we're still
12 -- we're talking about that.

13 I think there is some revisions that are
14 going to be possibly made and talked about.

15 The bottom line that is -- what's expected in
16 a major earthquake is there might be a sloughing of the
17 slope, and all of these calculations were done to determine
18 whether that was indeed true.

19 That's what you would expect or would all of
20 landfill 10 massively fail, and I think we've demonstrated,
21 at least through the most up-to-date analysis that we can
22 do, that's not projected to happen, even in a major
23 earthquake the size of the 1906 earthquake.

24 MR. BERMAN: So was that done by a -- just
25 by you might say theoretical mathematical analysis, or was

1 there an attempt to do a computer modeling of the site and
2 actually see what happens?

3 FACILITATOR KERN: There has been modeling
4 done of the site, and the equations that were used were --
5 their empirical relationships, meaning that it was an
6 analysis of hundreds and hundreds of earthquakes were built
7 -- were analyzed to determine what the parameters around
8 those equations would be.

9 With the prediction, the ultimate goal was to
10 predict how much movement there would be in an earthquake
11 of a given size at a particular distance.

12 So I'm not as familiar with the actual
13 modeling piece, but I did go into some depth on the seismic
14 analysis part. So I can speak to that.

15 I don't know if you can talk at all about the
16 -- but the model's built with the similar -- the fill
17 layer, the Colma, the serpentine and like a very heavy
18 truck placed on the trunk of that to give it a certain load
19 factor, and then the certain kinds of -- would it be a
20 sideways force or a vertical force, all that was included
21 in the modeling to make a prediction.

22 So I think in using those, some actual
23 physical data from the site was used to plug in the
24 equations, the actual stress testing of the materials.

25 MR. BERMAN: And the stratum is sufficiently

1 known so that you can do that?

2 FACILITATOR KERN: I think it's pretty
3 well-known, yes, through drilling cores.

4 MR. BAZAUGANI: After that, I think Doug is
5 right. I think several different cross-sections of the
6 site were looked at to model, yes.

7 FACILITATOR KERN: So that was one element.
8 And then there has been the discussion what would be the
9 treatment of the exposed face.

10 I mean, we have the parking lot on the top,
11 and then what would happen on the slope, and where we are
12 with that now is there will be some cover layer of soil
13 down in the lower part, as yet to be determined exactly how
14 far up the slope that will be.

15 The slope will be cut back to the stable to a
16 certain amount. Really trying to cut it back the least
17 amount for terms of cost, but the most we can afford in
18 order -- and that material would then be piled up on top of
19 the landfill.

20 So the soil would be placed, and then on two
21 to three foot centers, the way I understand it, there will
22 be coastal scrub plants planted in the slope and that will
23 be the vegetative cover over that slope area.

24 That's the proposal.

25 MR. BERMAN: Is there going to be drainage

1 other than natural drainage?

2 FACILITATOR KERN: I think there are a lot
3 of design details around drainage, yes. Up on the top -- I
4 was just learning tonight from Mo that it's going to be
5 tilted away from the edge so that drainage will be away
6 from the slope.

7 I think there may be --

8 MR. BERMAN: And that will go into the City
9 sewer system?

10 FACILITATOR KERN: Correct.

11 I think there are going to be some drainage
12 features on the slope. I'm not exactly sure how those are
13 going to work, whether the -- whether they will be in soil
14 or what.

15 I think I've heard at various times there may
16 be concrete ditches on the slope, but --

17 MR. BAZAUGANI: We're trying to stay away
18 from concrete.

19 FACILITATOR KERN: Yeah. All right. But
20 those are details that I think Mo mentioned that they're
21 working on the thirty percent design, and that's supposed
22 to come out at the end of this month.

23 MR. BAZAUGANI: End of August, right.

24 FACILITATOR KERN: And then they'll go for a
25 sixty percent or keep designing more and more details into

1 it.

2 That's the way I understand the remedy that's
3 proposed at landfill 10.

4 MR. BERMAN: So -- and that slope will be
5 off limits to human -- humans?

6 FACILITATOR KERN: Well, I think there'll be
7 some guidelines around it. I think there will be some
8 residual contamination, but there may be a layer of arc
9 mulch.

10 We may not be able to have volunteers, but
11 there may have to be contracted to people who work on that
12 slope that are trained.

13 I don't know, Brian. Do you have any
14 thoughts on that?

15 MR. ULLENSVANG: We're still talking with
16 the Trust, but right now our expectation is that we will
17 not be able to put volunteers on there, and people who do
18 go on the slope will need to have training or monitoring or
19 something like that, protective gear, some sort of control
20 and that the nature of the coastal scrub is that people
21 won't want to go there once it's established.

22 So you don't walk through the coastal scrub
23 because it's too brushy. And so that would essentially
24 discourage people from going out there.

25 FACILITATOR KERN: It would presumably grow

1 all together in a fairly thick assemblage to prevent weeds
2 from growing in.

3 MR. BERMAN: So it's going to be made
4 naturally inhospitable.

5 MR. ULLENSVANG: Yeah. That's the idea.

6 FACILITATOR KERN: If you know sanofi and
7 coyote brush, these are very bushy, shrubby things that you
8 just don't go walking in.

9 So that particular arrangement has been
10 arrived at over many weeks and months.

11 Anything that Brian, Bob, have to add to
12 that?

13 MR. BOGGS: Just with the slope stability
14 analysis, we have a civil structural. That's kind of his
15 area of expertise that's looking at that portion.

16 His preliminary review -- his comments are
17 due to me at the end of the week -- is that there would not
18 be a big failure at landfill 10, that there'd be sloughing.

19 He doesn't even want to call it a failure,
20 but that there could be localized sloughing, and basically
21 with this cut -- cutting back of the slope, making it less
22 steep, it would lessen the chances of the sloughing and it
23 would have the sloughing be less severe, so he at this --
24 at this point, he feels pretty good with what's being
25 proposed.

1 MS. BLUM: What's the rough estimate on this
2 remedy cost-wise?

3 FACILITATOR KERN: You're the cost guy.

4 MS. BLUM: Just rough.

5 MR. BAZAUGANI: Roughly. For the slope or
6 for the -- all of landfill --

7 MS. BLUM: With landfill 10 complete.

8 MR. BAZAUGANI: Complete. For the roughly
9 2.2 to 2.3 million.

10 MR. BOGGS: For the slope.

11 MR. BAZAUGANI: For the slope is --

12 MR. BOGGS: The top is 1.6.

13 MR. BAZAUGANI: 2.8 million.

14 MS. BLUM: 2.8?

15 MR. BAZAUGANI: Yes.

16 MR. ULLENSVANG: For capital cost. That's
17 just the capital.

18 MS. BLUM: And then what happens?

19 Monitoring. You're saying monitoring. Okay.

20 FACILITATOR KERN: Which is compared to what
21 we were talking about before, which was five or six
22 million.

23 MS. BLUM: Yeah.

24 FACILITATOR KERN: I think we've made some
25 headway.

1 MS. BLUM: Definitely.

2 FACILITATOR KERN: Mo, did you have
3 anything, any other -- since you're going to be working on
4 the design part of it, any elements that people ought to
5 know about?

6 I know when we were out there today, people
7 were concerned about the trees and the headlights and --
8 Mo.

9 MR. BAZAUGANI: I'll have more on the
10 presentation next -- in the next meeting, but the bigger
11 concept is that the trees are coming down and the way --
12 there's a -- there's a concern by the nearby residents of
13 the headlights hitting the homes that are on Lake Street or
14 the homes that are facing the project, and the way the
15 parking lot is being rebuilt is most of the fill is going
16 to the southern portion of the parking lot.

17 And so the slope of the parking lot is going
18 to change so that it's got a less steep slope, and it's
19 going to be angled a little bit towards the east side so
20 that the water drains that way, and by that -- what that's
21 going to do -- CMG, who is the landscape architect on this
22 project, what they're hoping to do through that is to
23 reduce the impact of the headlights on the neighboring
24 properties and also kind of hide the parking lot from the
25 adjacent neighbors.

1 There's also going to be trees that are going
2 to be replanted and -- on the south side. There's going to
3 be a landscape area. The new parking lot is actually going
4 to be smaller than the new parking lot.

5 I think on the south side, the elevation is
6 going to get raised by about ten feet so that -- so that
7 it's going to provide a much --

8 MS. NEWTON: Ten feet above the level of the
9 --

10 MR. BAZAUGANI: Of the current --

11 MS. NEWTON: Of the car area.

12 MR. BAZAUGANI: On the south side. That's
13 how much they're going to raise the level of the parking
14 lot.

15 MS. KRAMER: So that's the planting buffer
16 around the parking lot or the edge of the parking lot will
17 be ten feet higher.

18 MR. BAZAUGANI: No. The southern edge --
19 no, no. They're going to bring in enough dirt from the
20 excess material when they're cutting, they're going to put
21 that on the top deck, but most of that is going to be
22 concentrated on the south side.

23 So once you build the parking, you're raising
24 the elevation of the entire deck by -- on the south side by
25 ten feet.

1 So your slope is right now like this, and
2 making the slope like that.

3 MS. KRAMER: Wouldn't that shine light more
4 directly into the residents?

5 MR. BAZAUGANI: Not The way the architects
6 have designed it, the way they've done it.

7 MR. BERMAN: I'm puzzled by one thing. This
8 is a parking lot that's going to be used by the people
9 living in the Forest City buildings, right?

10 MR. BAZAUGANI: Correct.

11 MR. BERMAN: Will this be an illuminated
12 parking lot?

13 MR. BAZAUGANI: I don't know the answer to
14 that question.

15 MR. BERMAN: Because if it's -- I would
16 assume that you would not have --

17 MR. BOGGS: It is an illuminated parking lot
18 and that's a cost that's not part of the fix.

19 MR. BERMAN: It's not the cost that I'm
20 concerned about. If an illuminated parking lot will have
21 lights that are going to be eight to ten feet up in the
22 air, and those lights are going to shine through unless you
23 do some very some spectacular design in order to keep the
24 light from getting into the residential area.

25 So, I mean, you're talking about building the

1 slope so that automobile headlights don't cause a problem
2 and then you have an illuminated parking lot with ten foot
3 masts.

4 MR. BOGGS: It's outside the purview of the
5 cleanup project. That's really part of the development.

6 MR. BERMAN: I'm not arguing that it's part
7 of our job, but it seems to me that the left hand does not
8 exactly sure what the right hand is doing.

9 MR. BAZAUGANI: There is going to be a
10 buffer. Right now on the southern end of the parking, the
11 southern end of the parking extends to about, what?
12 Thirty, forty foot from the closest building, and in the
13 landscape development designs, what CMG is doing is they're
14 actually adding another thirty to forty feet, maybe more on
15 the south side.

16 Actually -- there's going to be a ramp there,
17 handicap ramp that goes up. So they're adding an extra
18 amount of open space and that open space is going to have
19 trees planted on it and it's going to have vegetation grown
20 on it.

21 And so the intent --

22 FACILITATOR KERN: I have this memo that we
23 got today. I'll just start passing it around. The last
24 two pages show designs that Mo is talking about.

25 MR. BAZAUGANI: Right. So it's going to get

1 shortened, but it's going to get shortened on the south
2 side.

3 So if there is a light impact there, the
4 light is going to get reduced by the impacts -- by the
5 trees -- by the additional trees that are going in there.
6 It's going to kind of mask the parking lot from the
7 adjacent neighbors.

8 CMG has put a lot of effort into making sure
9 that that's not coming through.

10 MR. BERMAN: Yeah. Well, it's not my
11 knowledge to know that they're thinking about that, but the
12 illuminated parking lot can be a lot more of a light
13 pollution problem than car headlights with which, you know,
14 it can get few and far between later at night while the
15 parking lot is illuminated the entire night with steady
16 light that's up above the slope.

17 So the trees are going to have to be
18 reasonably dense in order to prevent --

19 MR. BAZAUGANI: Right.

20 MR. BERMAN: -- light pollution from getting
21 in on the residences.

22 I know this is not our purview, but you
23 brought up the slope preventing the light, and it seems to
24 me this is only half the problem.

25 MS. BLUM: I just want to add that this

1 whole process with the Public Health Service Hospital has
2 had neighborhood involvement and vetting by a large
3 cross-section of community, concerned members and
4 stakeholders and I think they've pretty much wrung out
5 every single detail that we might have thought of and then
6 some, because the 14th Avenue gate and the Lake Street
7 people are quite concerned about this development, and it's
8 part of the corridor.

9 So I think on this one, we're going to have
10 to say we're going to trust them to do the right thing,
11 because I think they've been made aware of all of the
12 problems that the neighbors could have foreseen with a
13 development this size, and I know they're attempting to be
14 as green as possible and it's quite on the landscape, so to
15 speak.

16 FACILITATOR KERN: We might remark to Mo
17 about some of the designs associated with water runoff or
18 stormwater, because those would be relevant to the cleanup,
19 I think.

20 I mean, we have the roof water is going to be
21 captured --

22 MR. BAZAUGANI: The roof runoff from the
23 buildings, the 1801 building, the way it's designed is that
24 we're going to have ways that allows for infiltration of
25 water, and the areas from the parking lot where there's

1 landscape, it's going to allow natural infiltration of
2 water.

3 But the parking lot areas where there's going
4 to be runoff from the parking areas, that's getting
5 captured and it's going to the City sewer.

6 So there's a lot of infiltration from water
7 from the area like roofs and what not where the water's
8 going to be clean. The water's going to be clean. That's
9 going to be allowed to recharge into the groundwater and
10 that's about the only areas where you have recharge.

11 MS. NEWTON: Will that all be in your thirty
12 percent design?

13 MR. BAZAUGANI: Some of it. Some of it will
14 be, yes.

15 FACILITATOR KERN: So the process that we're
16 working on is those of us that meet on these weekly
17 meetings are providing our comments on this. This is the
18 feasibility study for landfill 8 and 10. This is the
19 document that has that seismic analysis in it.

20 A lot of this is figures. It's the whole
21 package, and then there will be the Remedial Action Plan.

22 So that's your remediation dollars at work
23 producing these kinds of documents.

24 But we have -- I can say Mike and his crew on
25 RAP3 have been -- every week they come to the meetings with

1 a big package of data and figures. "Here's the latest that
2 we did. What do you guys think?" and we talk about it,
3 make decisions. They go off and do more digging.

4 I think it's been a great process. I feel
5 really comfortable with these guys and I just want to
6 acknowledge, particularly since he's here tonight.

7 MR. BECK: Thank you.

8 MR. BERMAN: Just curious.

9 FACILITATOR KERN: Yeah.

10 MR. BERMAN: What's the estimated human
11 population at full completion at the Forest City area?

12 FACILITATOR KERN: I have no idea.

13 MS. BLUM: 380, I think. 380.

14 MR. BAZAUGANI: I --

15 MS. BLUM: In the 1801.

16 MR. BERMAN: In 1801, but the townhouses and
17 the rebuilt houses and everything. So --

18 MS. BLUM: Under a thousand.

19 MR. BERMAN: It's under a thousand.

20 FACILITATOR KERN: Just going on, then, to
21 landfill 8, that kind of covers -- we've probably spent
22 most of our time -- I would say 95 percent of our time on
23 the details around landfill 10, particularly in these
24 meetings.

25 With respect to landfill 8, it's been kind of

1 in my mind the poor stepchild. We just barely get to it,
2 but this is the site with the cemetery.

3 We did have several of us out there this
4 evening before the meeting. We walked the site. We went
5 to all four corners of the cemetery, had a pretty good idea
6 of where that is in relation to the landfill.

7 We looked at documents from in here that show
8 how thick it is and where various hidden remains have been
9 found.

10 What this document proposes as the preferred
11 alternative is to grade the site, you know, clear and grub
12 it. It currently has some shrubs. It's not well
13 vegetated. It's kind of sparsely vegetated, and then three
14 to five feet of sand would be placed over the top of that
15 site.

16 So sand would be placed on top of the rubble
17 which is on some of the cemetery.

18 Next week on Tuesday we'll be talking about
19 landfill 8 in terms of the cemetery. I think it's --
20 finally we're having this meeting after all these years,
21 and the purpose of the meeting -- actually skipping ahead
22 here on the agenda since it's related to this.

23 The purpose of the meeting is to talk about
24 the realities of removing the fill over the cemetery; are
25 there any legal restrictions to doing that.

1 My investigations so far seem to indicate
2 that this is not a national cemetery, and so therefore a
3 lot of the laws that might apply to national cemeteries
4 don't apply to this one.

5 It's not like Arlington or something like
6 that, but it is an historic cemetery.

7 So I don't think there'll be any legal
8 reasons why we couldn't remove the fill over the top of the
9 cemetery. It will be financial more than anything else,
10 and we'll be sort of our political will to do it or not to
11 do it.

12 It's not heavily contaminated. It would be
13 considered I think lightly contaminated, pesticides, things
14 of that nature. There would very likely be metals in the
15 fill associated with the debris and rubble ground.

16 So really the question is going to be what's
17 the nature of the fill -- I'm reading off the prepared
18 agenda for next Tuesday now. What's the nature of the
19 fill, how deep is it, how much of it is present and what is
20 the current evidence of human remains, and these are all
21 known things. It's all contained here in this document.

22 We know how thick it is. We know how much is
23 there. It's about 40,000 cubic yards. In a lot of --
24 there have been many, many trenches dug in this material
25 and there's been two instances where a bone was found.

1 So we're not running into concentrated
2 remains. The thought is that there's fill and then there's
3 about six feet of some dune sand and then the grades.

4 We're not proposing disturbing those bodies.

5 If we were to -- and this is again part of
6 the agenda. If we were to find any human remains, what
7 would be -- what would we do with that? And what's being
8 considered is that they would just be re-interred on the
9 site, and how difficult would that be if it would be
10 difficult.

11 If we can go past those obstacles, then it
12 would appear that one option that we would have would be to
13 do outreach to other parties associated with the countries
14 -- anybody that would be interested in these merchant
15 mariners.

16 So then we would discuss what would be the
17 nature of the message to those folks. What would be the
18 pros and cons of actually doing this outreach, the timeline
19 for doing that kind of work and then finally could we get
20 any assistance or cooperation to do this outreach.

21 With a goal of seeing if we can get any help
22 to remove the fill. Because there will be an argument that
23 we don't -- it's not that contaminated and we -- we can
24 just leave it. We'll spend the money on something else.

25 So it's been -- it's my feeling that we

1 should -- we should go through this process and do this
2 outreach, but we're having this meeting to see what
3 everybody else has to say.

4 Can't clear the hurdle. If everybody says
5 well, it's just silly. It's just not a good idea to do
6 this, I'll certainly listen to it, but I've had the
7 argument put to me that it would not be respectful to
8 remove the fill from the top of the cemetery, and I -- I'm
9 not finding that to be persuasive personally.

10 I think it would be more respectful and more
11 in keeping with the national park to actually remove that
12 waste material. That's my own personal opinion, and I --
13 I'm trying to at least drive this, to have it completely
14 wrung out so that when people look back, they at least
15 said, "Well, they thought about it. They thought about it
16 from every angle, and these are the reasons why they either
17 left it there or why they took it out."

18 So that's kind of where we're headed on that,
19 and you'll all have your ability to tell me you're on the
20 right track or let this thing go, whatever you want to say.

21 Jan and then Sam.

22 MS. BLUM: I'm wondering if the fact that
23 the Presidio is a National Historic Landmark District,
24 including that particular area, if there's any leverage
25 that can be used through a historical argument that you

1 need to preserve it and interpret it for all time to come,
2 that you would be really required to do either mitigation
3 of some kind.

4 Somehow there should be some mitigation, but
5 as the Trust has suggested they use in terms of archeology
6 or lack thereof in terms of help Presidio create a
7 mitigation, which is a brand new term.

8 So maybe the damage that we are doing to,
9 say, the area in front of Crissy Field, they can use some
10 money from some kind of project where one part of the park
11 is destroyed and use that money to do the right thing by
12 the burial area, use the landmark argument or historic
13 landmark argument.

14 MR. BERMAN: I need some clarification. So
15 I have a pack of questions. The first is it seems to me in
16 view of the recommended -- recommendations for treatment,
17 there is no -- there is no law or legal circumstance that
18 requires the excavation.

19 FACILITATOR KERN: I don't think there would
20 be a requirement to excavate it. That's true.

21 MR. BERMAN: Okay. So now -- now it
22 comes -- so the issues seem to come down to -- to ethics
23 and maybe -- I mean, the issues are ethics, aesthetics and
24 obligation to the public, but the issues are all somewhat
25 subjective.

1 So, you know, I think that this is a very
2 difficult area to come to -- to analyze in an objective way
3 when you're -- I just create a dichotomy.

4 There's some people that feel they should
5 never disturb the sites of where there are burials, and
6 there's some people that feel that well, yes, it's a
7 national park and we should clean it up as much as
8 possible.

9 And so these seem to me to be completely
10 subjective positions, and of course the more subjective it
11 is, the more difficult it is to deal with it, and also
12 people can get hardened in their subjectivity so that you
13 get -- you know, you get people feeling uncomfortable.
14 Maybe not raging, but feeling uncomfortable.

15 And so I think your meeting is -- actually
16 has the potential of -- of opening wounds. Again, that's a
17 totally subjective response on my part, because the
18 Presidio and the contractors have come to the conclusion
19 that there's a satisfactory way of treating the site
20 without violating any laws and with proper treatment of any
21 possible waste.

22 So I -- I'm I think a bit confused as to, you
23 know, why you're having this meeting, and so it seems to me
24 that you answered it as best as possible to say that you
25 would like -- before this final thing is done, we should

1 make sure that all people that have something to say have
2 an opportunity to say it.

3 But then it comes to the outreach, and the
4 outreach can get complicated, because first of all, when
5 was the last burial -- when was the last known burial in
6 that site? Probably a hundred years ago, at least.

7 FACILITATOR KERN: Mm-hmm.

8 MR. BERMAN: And so now -- I mean, countries
9 have changed, nationalities may be vague in this thing, and
10 so the outreach -- once you start the outreach and you
11 think you're doing a good job, there will be one party that
12 comes in after it's all done and say, "How come you didn't
13 contact me. It's my great-grandfather that came from Macau
14 that's there," you know, and so I'm just concerned that the
15 outreach is potentially an impossible thing to do in a
16 successful way.

17 And so I'm saying all this because I want you
18 to counter me in some sense and say, you know, I feel --
19 you feel that I'm taking a phony position here that is not
20 justified.

21 But, in fact, I find the -- once you've
22 satisfied the legal requirements and you've satisfied the
23 cleanup requirements, then it all becomes subjective as to
24 what you go --

25 MS. NEWTON: I think it's whose cleanup

1 requirements are being satisfied, though. I think that's
2 what Doug's point is. Are we really cleaning it up?

3 MR. BERMAN: You clean it up to satisfy all
4 the laws. I mean, there's a lot of -- that's all the
5 cleanup is about, which is satisfying the human and
6 ecological levels, and if this is -- if you're cleaning up
7 to that extent, then you've done a good job in terms of the
8 environment, and it has to do with the treatment of what
9 you do where what has been burials, and the last burial was
10 over a hundred years ago.

11 You know, I just don't know how -- how you
12 treat that and how you follow that in an objective way and
13 satisfy what you want to do, which is to make sure that all
14 parties that have some interest in this have been given a
15 voice.

16 FACILITATOR KERN: Well, part of my wanting
17 to do that, make sure that everybody has a voice so that
18 it's been argued to me that the reason that we cannot clean
19 this up is because we will disturb the bodies.

20 Well, I think the evidence suggests that we
21 won't be disturbing a lot of human remains. You may
22 encounter human remains, but I think that can be dealt
23 with.

24 So part of the meeting is to level the
25 playing field, so to speak, around that particular

1 argument, that that is no longer really a valid reason not
2 to deal with it.

3 If it's principally about the level of
4 contamination, well, it's sort of like landfill 4.
5 Landfill 4 had a little more lead in it. It's sort of like
6 fillsite 5. Fillsite 5 wasn't as contaminated.

7 I mean, you -- any landfill here on the
8 Presidio, you could argue we don't have enough money to
9 clean it up. We should leave it in place. Who's it really
10 hurting? Why would we touch it?

11 Why did we cleanup, for example, at great
12 expense those disturbed areas. They were just disturbed
13 areas on the cliffs. Who's ever going to go there?
14 Nobody's going to care, but there was a true ethic around
15 if we remove this waste that was dumped from incinerators
16 and other things over a cliff to something that was really
17 quite valuable, this -- these cliff sites have an intrinsic
18 value; not only because of the endangered species that you
19 could plant there, but just that it is then clean. It's
20 clean. You can walk on it. You can restore it. You can
21 make it now part of the national park unimpaired for future
22 generations.

23 That's what we're here for, and this site
24 where there's a cemetery there, this is what the decision
25 is in my mind is it's currently impaired for future

1 generations to admire.

2 Now, if we put -- in most people's view
3 putting a three foot layer of sand three to five feet over
4 the top and that -- that's okay because that's what most
5 people think we should do and that's relatively unimpaired,
6 then, you know, that's the way it's going to end up being,
7 but I'm personally not convinced, and I think it's like
8 every other landfill that we've got that once we get in
9 there, we're going to find more stuff, more stuff that we
10 were darn glad that we got it out of there, and we have
11 been told time and time again it was impossible to do these
12 things.

13 Well, we just don't remove landfills. It's
14 too expensive. We don't do them.

15 When we do, it's better for the park and it's
16 better for how it's going to be for future generations.

17 So we may not prevail on this, and I'm
18 certainly aware of that, but I don't see all that much
19 difference in this particular landfill to others that we
20 have removed, and if we can get rid of this idea that well,
21 we're going to preserve the remains, so we can't even touch
22 it, which I think was a total red herring, it was
23 absolutely not right and I've never proposed that we
24 actually remove the bodies.

25 So if we can get rid of that, then we can

1 just argue it on the merits of actually how do we want to
2 spend the money, is this one thing that we want to clean
3 up, then I think we will have done our job.

4 So we've got Julian and --

5 MR. HULTGREN: I have several questions.
6 I'll just pose them and you can answer them after I finish.
7 They're procedural questions, I guess.

8 The first is: Who's going to be at this
9 meeting and will it be a closed meeting? And will it make
10 some decisions and will those decisions if made be subject
11 to review by the RAB and either accepted or rejected?

12 FACILITATOR KERN: The meeting as I
13 understand it is being made available to Presidio Trust
14 staff and National Park staff, both legal and
15 archaeological type expert folks and remediation folks. It
16 would not be a closed meeting. You would be welcome. Any
17 of you would be welcome to attend it.

18 I don't think that in any way there would be
19 any decisions made, but what might come out of it would be
20 removal of this concept that there is a little impediment
21 to doing -- to taking action, which I don't -- I think is
22 now coming out that there is no legal impediment to taking
23 that action.

24 It might also be discussed if remains were
25 found, what would you do? I think that would be something

1 that the people there could reasonably discuss. As I
2 understand that, attorneys from the Trust and the Park
3 Service have been doing research on this, and we would be
4 prepared to answer that question.

5 So then beyond that, since this agenda has
6 been made available, I'm assuming that Trust and Park
7 Service people that have had these -- any kind of related
8 experiences would say, you know, this is what you're going
9 to get into on the -- say on the negative side if you do
10 outreach. You'll experience this and this and this, and
11 that can be really, really bad.

12 So we'll get information, or somebody said
13 we've done this before over in this national park and this
14 happened and it was really good.

15 So I think it's going to be informational and
16 all that would be brought back to the next meeting here.

17 MR. HULTGREN: Where is the meeting to be
18 and when?

19 FACILITATOR KERN: The meeting is going to
20 be the meeting is to be August 19th.

21 MR. ULLENSVANG: Building 67.

22 FACILITATOR KERN: Building 67.

23 MR. HULTGREN: Which is where?

24 FACILITATOR KERN: 67 is --

25 MR. ULLENSVANG: Just down here. Just down

1 the street here. It's not -- the remediation building, the
2 new one.

3 MR. HULTGREN: One of those long buildings;
4 right?

5 MR. ULLENSVANG: No, it's not. It's where
6 the telecommunications center is. Where is that?

7 MS. BLUM: It's behind the Y.

8 MR. ULLENSVANG: Behind the Y and down the
9 hill from the school, the little preschool.

10 MR. HULTGREN: Okay.

11 FACILITATOR KERN: John.

12 MR. BUDROE: Just out of curiosity if you
13 were going to do outreach, what organizations would be out-
14 reached to?

15 FACILITATOR KERN: Well, from my read of the
16 historical investigations that have been done, there are
17 many countries represented in that cemetery. These are
18 Merchant Mariners, which is I think distinguished from
19 Merchant Marines.

20 I think they were sailors that were -- and
21 they probably got sick at the hospital and put out back in
22 the cemetery.

23 So I think I would investigate the kinds of
24 organizations that -- there are other of these kind of
25 cemeteries around, so we'll see -- do some outreach to

1 those folks, and then since I haven't really done this
2 before, it's a little bit of make-it-up-as-I-go, but some
3 of it would be do you contact the local embassies of those
4 countries, things of that nature, write letters, make phone
5 calls, walk in to places, just tell the story and see --
6 you know, I would expect that given all the priorities
7 people have in the world, this is not going to come up very
8 high on the radar screen.

9 But having nobody else kind of going through
10 this process, I guess I will feel that if we do it, then
11 we'll cover all the ground before this decision's made.

12 MS. KRAMER: Won't that slow the process
13 down by maybe a year or so? Wouldn't -- especially since
14 there may be many countries and many agencies or whatever
15 to contact and then to wait and hear something back or have
16 to wait to get some sort of signoff from them or -- that
17 would -- like maybe beyond the time frame --

18 FACILITATOR KERN: I think that's --

19 MS. KRAMER: -- that work was anticipated to
20 start or something.

21 FACILITATOR KERN: I think that's a really
22 excellent point, and part of the -- I think what's written
23 in this document is they have the three foot layer of sand
24 is to be put over the top. That's the remedy, but it's
25 also suggested in here that this other process is

1 acknowledged that it would be ongoing --

2 MS. KRAMER: Mm-hmm.

3 FACILITATOR KERN: -- and if -- to use kind
4 of the words that we've been using in these meetings, if
5 this process gets some kind of traction, that people are
6 actually interested in responding and getting involved in
7 it, then that would be brought to the attention of
8 officials, and if there was really something substantive,
9 then that could actually change what would be proposed.

10 It's not being -- as I understand it, maybe,
11 Mo, you have some thoughts about this. Given all the
12 construction elements and different staging of things for
13 the proposals in here, landfill 8 I think would be done
14 last, is one of the things that I heard, and it could be
15 over a year from this fall when it would actually be done.

16 So potentially there would be a good year of
17 time. It's kind of a time frame to get this done.

18 MR. BAZAUGANI: Actually, the actual
19 schedule is to get started with the construction in April/
20 May time frame of 2009.

21 FACILITATOR KERN: For landfill 8?

22 MR. BAZAUGANI: For all of it. For the
23 entire project. Landfill 8, landfill 10. For the top
24 deck, slope and graded area 9, and be done with those by
25 fall of 2009. So would be finished.

1 There's a one- to six-week schedule for
2 landfill 8 construction and it's in the middle, and that is
3 to allow for consolidation of the material that will be
4 scraped off the surface in the top deck area for landfill
5 10.

6 So we kind of start on the face of landfill
7 10; then move to landfill 8 and then finish the top deck of
8 landfill 10. So that's the general schedule for that area.

9 So we have until, you know, -- until, you
10 know, April/May time frame.

11 FACILITATOR KERN: So you raise a good
12 point.

13 Yes, a lot of hands going up. We'll start
14 here and kind of go around this way.

15 MS. SEGAL: I know that the Park Service
16 legal folks are looking at it. Do we have any information
17 about other public health service hospitals that may have
18 had cemeteries that would either be Hawaii or along the
19 coast, either coast that would have served the mariner
20 population? You could maybe see what those cemeteries are
21 all about.

22 I mean, VA's different than public health
23 service, but --

24 FACILITATOR KERN: Thank you.

25 Other questions going this way for comments.

1 MS. GEE: Yeah. I have sort of two
2 comments. You know, to go -- going back to the thing about
3 getting outreach and you want to make it timely as
4 possible, it would be good to have a -- a concept of how
5 you would proceed like oh, you know, you would have an
6 opening ceremony that is, you know, amenable to the
7 seafaring community and also for diverse -- you know, like
8 other interfaith or non-faith. Because then you also have
9 things like the UN.

10 You could have this type of international --
11 you know, like global sort of ground-breaking that is
12 respectful of a burial ground, and then if you have this
13 little concept, then you go through outreach.

14 Then they'd say -- would they like to tweak
15 this ground-breaking ceremony and also the closing of it,
16 then when you complete it, you would also do a similar,
17 what do they call it? Not service, but a capping off of
18 this project. So that's one thing.

19 It would be better to have something more
20 down to earth than saying what do you think? What would
21 you like? If it's just like dealing with someone that
22 doesn't have the whole grasp of what is involved and you
23 ask them what would they like and you're just opening up
24 very unwieldly process.

25 So if you have something like a nut or

1 something, then you go to the outreach.

2 In terms of like seafaring, like I know in
3 other -- countries, like in Asia, they have these areas are
4 really to -- they're like memorials for those that are lost
5 at sea or whatever, the seafaring community, and it's
6 something -- even though it's related to the hospital, but
7 it could be sort of like a memorial area, and I think --
8 was this the area where they were thinking of having test
9 markers or something?

10 FACILITATOR KERN: That's right.

11 MS. GEE: Is that still there?

12 FACILITATOR KERN: I think that's kind of
13 gone away.

14 MS. GEE: I was going to say that if this is
15 to memorialize those that were in the seafaring community,
16 that there would be something that could be like a -- not a
17 marker, but something like that could be associated with
18 water.

19 FACILITATOR KERN: Right.

20 MS. GEE: That's the usual thing when you go
21 to these memorial areas, either visible. They can see the
22 sea or you have a token symbol of a seafaring, you know --

23 FACILITATOR KERN: Right.

24 MS. GEE: That could be something that you
25 can easily -- you can get the outreach comments about how

1 that can be done, and then -- that's the --

2 FACILITATOR KERN: Thank you.

3 MR. BOGGS: In talks with the Veteran's
4 Administration, there's actually money available for making
5 such memorials. And they've done memorials for gravesites,
6 et cetera, but that's really -- constructing a memorial is
7 a very tiny cost, which is kind of after-dressing, after we
8 deal with the contamination.

9 MS. GEE: Right, but I think when you go
10 into the outreach, there's all these cultural and ethnic,
11 you know -- you're opening up that area, and that's maybe
12 as a capstone, you have a little opening ceremony that is
13 all-inclusive of all the different countries.

14 MR. BOGGS: Where is that -- that's where
15 these people that have gone through this many, many times
16 have some knowledge of what has been done, what can be
17 done, but I think part of what we need to do is get in
18 contact with these people that have dealt with these issues
19 previously. This isn't anything new.

20 MS. GEE: I think especially with the
21 history of the United Nations being sort of involved with
22 the Presidio at one time, and also in the City of San
23 Francisco, there is this very fairly well organized --
24 they're called -- I guess it's like loosely interfaith.

25 It's an all-inclusive ecumenical. They're

1 also very global, and they would be a good way of sounding
2 out how you touch base with the seafaring community.

3 FACILITATOR KERN: Got it. Great. Thank
4 you.

5 Yes.

6 MR. O'HARA: I'm a little concerned about
7 the outreach issue and I think you have to take a look at
8 the reality of what you've got.

9 These people are in this graveyard because
10 they were indigent people and the Public Health Hospital
11 didn't know what else to do with them. So they buried them
12 out in back, and I'm not sure that that fact was
13 necessarily widely known.

14 And if you go out with a lot of solicitations
15 for help, the reality is that you have indigent people that
16 have been thought so little of that the Army has put a dump
17 on top of them, and so that there is an incredible insult
18 to start with.

19 But I think what we're doing here is
20 suggesting that you undo the insult with as little fanfare
21 as possible or you're going to have every public advocacy
22 attorney in the country making a -- making an issue out of
23 this, and my sense is that you want to do as much as you
24 can to undo the insult, but you want to do it in as quiet a
25 way as possible.

1 Otherwise, you're liable to make the front
2 page of The Chronicle, and I'm not sure that's where
3 anybody here wants to go.

4 FACILITATOR KERN: John.

5 MR. BUDROE: Well, I kind of agree with what
6 Gloria said. Instead of -- talking to outside
7 organizations, and instead of giving them a roster to work
8 with, there ought to be a basic core idea. "This is what
9 we'd like to do. What do you think?" and let them provide
10 input into it.

11 And actually thinking about some
12 organizations that may or may not be able to contribute
13 that you could go to and it wouldn't necessarily be a high
14 media profile with it. One would be essentially the US
15 Merchant Marines. There's a US Merchant Marine
16 Association.

17 MS. NEWTON: That's different, though.

18 MR. BUDROE: It's different, but you're
19 talking about essentially mariners, which is kind of a
20 tight little community.

21 MS. NEWTON: Yeah, like there's the Navy
22 too, though, right? That's what you're saying.

23 MR. BUDROE: But this is different. People
24 that were -- the armed forces are one thing. The civilian
25 marines another.

1 So you can at least talk to them, probably,
2 and get a sense of what would be appropriate. They're not
3 exactly the group. They're not the group that was in that
4 cemetery, but they could give you a sense of what is
5 appropriate.

6 Number two, along the same lines would be
7 there's probably a -- not the Longshoreman's Union, but
8 there's probably something like a Mariner's Union that may
9 very well be -- I think there's one that's headquartered in
10 San Francisco and they could also give you a sense of what
11 would be appropriate like that.

12 And number three on the list would be there's
13 an outreach group, kind of a small one. It may be a
14 ministry, but essentially it caters, serves foreign sailors
15 that come into San Francisco.

16 Most of the sailors that come into the Bay
17 Area are foreign. There's very few actual American
18 sailors, and they might be able to provide some kind of
19 input into that, and I know The Chron's run articles on
20 this one group before.

21 I don't remember it offhand, but I would
22 imagine it's in the archives and you could pop it up pretty
23 easily.

24 So that's three groups you could probably
25 talk to that won't necessarily, you know, want it splashed

1 all over the media.

2 FACILITATOR KERN: I know. I know. Thank
3 you.

4 Any other thoughts off the --

5 MS. NEWTON: That's what these guys were
6 really -- they were just sailors. They were working on
7 commercial ships.

8 Is that true?

9 MR. BUDROE: Yeah.

10 FACILITATOR KERN: I think that's right.

11 MS. NEWTON: So a union would be a great
12 place, I think --

13 MS. BLUM: Or even the maritime. National
14 Park might have some experience with that. Since they're
15 right here in our backyard, that might be a good thing to
16 do. Or even Fisherman's Wharf.

17 FACILITATOR KERN: Those are all
18 tremendous -- great ideas. I'll be bringing all this into
19 the meeting. Of course you're all welcome to come, and if
20 you'd like to come --

21 MR. HULTGREN: I just have one question.
22 Maybe you know the answer.

23 When was the last burial? In what year?

24 MR. BERMAN: Over a hundred years ago

25 MR. HULTGREN: Okay.

1 FACILITATOR KERN: I know they started in
2 the --

3 MR. HULTGREN: I'm just wondering the last.
4 If it was a hundred years ago, I think all of this
5 discussion is kind of moot, kind of unimportant. You're
6 not going to get anybody claiming them. You're not going
7 to be anybody very concerned with them, especially the
8 unions nowadays.

9 They'll say, "Gee, we weren't even in
10 existence then. We don't care. These guys weren't
11 members."

12 So I think we're talking about a lot of stuff
13 that sounds good on the surface, but if you look back at
14 the real facts, it's really immaterial.

15 MS. NEWTON: What we originally talked about
16 this is because I thought that what to do when we find
17 bones. Isn't that what started this? How would you deal
18 with uncovering some remains, and that's what you want to
19 bring up at this meeting.

20 FACILITATOR KERN: That's one of the issues,
21 yeah, and some of that is just re-inter them on the site.

22 MR. BERMAN: Well, Doug, I mean, your
23 principle is one of the highest ethics, which is that the
24 park should be cleaned of all contamination and that should
25 be our goal, and your concern that a red herring has been

1 put here to prevent this particular cleanup from occurring
2 by saying that you can't disturb a gravesite, and, you
3 know, I think that that should be the primary objective of
4 your meeting, not the outreach.

5 You should clear that up and make sure that
6 that -- there's an agreement in that it could be cleaned
7 up, but maybe in terms of cost or -- or other
8 considerations, other economic considerations. That's not
9 the direction that the Trust proposes to do.

10 But -- so I think as I see it, what
11 personally got to you is a false -- something was created
12 to make it look like you couldn't do more than was done,
13 and I think if you can clear that up -- clear that up in
14 the meeting so that in fact more could be done if there was
15 a will to do it, that would be a very -- very useful
16 outcome.

17 And then it just comes down to economics. It
18 just comes down to whether you want to spend the money to
19 do that and how you do it in a way if you do find remains,
20 what you do with them?

21 Things that are over a hundred years old and
22 there's nobody voicing anything, you don't want to cause
23 some kind of a community outcry.

24 FACILITATOR KERN: Right.

25 MR. BERMAN: But I think the outcome of the

1 meeting should really be to clarify this red herring, as
2 you called it, to make sure that, in fact, cleanup could be
3 done, and if that is the -- if that is our -- if that is
4 our sort of major raisondais, then it should be looked at
5 like that and false excuses should is not be presented.

6 Then at that moment, it seems to me that if
7 you call that the outcome of that meeting, you can ask the
8 Trust and say, "Please provide us with an alternate
9 recommendation for the cleanup which involves not the
10 capping, stay and capping, but removing."

11 MR. BOGGS: They actually have included that
12 alternative. The removal alternative in the feasibility
13 study, and I'm convinced and my agency's convinced that
14 there's no law that prohibits us doing a removal there.

15 In fact, in discussions with this guy -- the
16 head of the National Cemetery for the Veteran's
17 Administration, you can remove cemeteries. You can move
18 them. So even that's a possibility if that needed to be
19 done.

20 So the argument that you can't because of
21 legal concerns to my agency is dead, and again, that's
22 where we get into the other considerations you're talking
23 about cost/benefit, et cetera.

24 So we don't see that there's an impediment to
25 digging that landfill up if that is the chosen alternative

1 based on the criteria in the feasibility study.

2 But there are legal things around disturbing
3 human bones that are things that we have to accommodate as
4 part -- if we do that as a full removal.

5 So there are things that we would have to do
6 with those bones if discovered, just like when we ran --
7 possibly affected the historic jail at fillsite 6A. We
8 accommodated not disturbing that building as part of the
9 national historic preservation.

10 MR. BERMAN: Right.

11 MR. BOGGS: We would have to jump through
12 some hurdles for these bones, but it's not prohibited.
13 There's nothing that we've dealt with that says you can't
14 dig up a landfill above a graveyard, and, in fact, they
15 have moved maritime graveyards for development projects.

16 An expensive undertaking, but it can be done.

17 FACILITATOR KERN: And I wanted to come back
18 to you.

19 MR. CALLANAN: Most of these comments that I
20 had have been stated by someone else already.

21 Are there any grave markers at all at that
22 site?

23 FACILITATOR KERN: There are no grave
24 markers on the surface. There have been photos that show
25 the grave markers and then showed them more in a state of

1 neglect and then the next photos are it's all buried. So
2 presumably those grave markers may be buried there still.

3 MR. CALLANAN: And where would those records
4 be, who's buried there and when the last burial took place?

5 FACILITATOR KERN: The records are in a
6 report that the Presidio Trust archeology folks did in 2006
7 and it's posted on the Trust website, and I've created a
8 link to it and it would say in that -- when the last burial
9 was, and I think it's in the -- the early 1900s.

10 MR. CALLANAN: And this was never an Indian
11 burial site, then?

12 FACILITATOR KERN: As far as you know,
13 that's right.

14 MS. CHEEVER: When we took the tour before
15 this, there's one pole that is said to be -- a metal pole
16 that's said to be the edge -- one edge of it. That's about
17 four inches above the ground and has a little bulb on the
18 end, and it was pointed out that of course it's partly
19 buried -- four feet. That's why it's only four feet tall,
20 but it's rather moving, actually to see the edge of the
21 cemetery.

22 FACILITATOR KERN: Well, I want to -- I
23 really want to thank everybody for your comments tonight
24 for responding to this. It's been a subject that the RAB
25 has talked about since the early days and we're bringing it

1 up again because we're getting close to this decision
2 document. We're trying to bring it out, make sure we're
3 doing the right thing.

4 So we're going to go on with this meeting. I
5 very much appreciate all the comments, and you're all
6 welcome to come to the meeting.

7 Any other thoughts on landfill 8 or 10?

8 Well, looking back at our agenda, let's ask
9 our regulators if you had any particular things for this
10 evening, Agnes or Bob. Anything?

11 MR. BOGGS: Nothing from me.

12 MS. FARRES: Just a quick update. I've been
13 continuing to work with the Trust and Brian on the
14 petroleum program.

15 So I recently issued a closure letter for
16 fifteen underground storage tanks and above-ground storage
17 tanks at Crissy Field, and a closure letter basically
18 certifies that site investigation has been completed, and
19 if necessary, remedial action, and I hope to be closing
20 more tanks in the DAH area in the next few weeks. So
21 that's what's coming up.

22 FACILITATOR KERN: Thank you.

23 If --

24 MR. BERMAN: Can I make a comment? I once
25 looked on the -- on the Trust website where the

1 documentation about the petroleum program in general. I
2 found almost nothing.

3 Now, does that mean that I didn't do a good
4 search or is there anything there?

5 FACILITATOR KERN: I would wonder if you
6 were looking at the same site that I look at. When you log
7 gone, do you see a whole list --

8 MR. BERMAN: Yes.

9 FACILITATOR KERN: -- of all the different
10 documents?

11 MS. FARRES: Well, if you want specific
12 information on these tanks, you can go to our database,
13 which is -- it's called Geotracker and you can look up
14 specific tank sites.

15 MR. BERMAN: Yeah. That's on the Water
16 Board site.

17 MS. FARRES: Right.

18 MR. BERMAN: I was just saying that I
19 couldn't find anything in the Trust --

20 FACILITATOR KERN: So -- well, maybe we can
21 talk about it more off-line. And maybe refer to Eileen,
22 because I know she works with her staff guy that works on
23 that whole website.

24 So we do have an action item. I'm not going
25 to be around for the next committee meeting and I think our

1 illustrious co-chair is not going to be, as well.

2 MR. YOUNGKIN: Vacation.

3 FACILITATOR KERN: I think it may be the
4 first time when we both are not at a meeting.

5 Do we have a -- someone that will carry the
6 light for us two weeks from tonight at the committee
7 meeting? I would -- before I left, I can tell people what
8 occurred at the -- at the meeting next week, give updates.

9 MR. BERMAN: Why don't you make a tape-
10 recording. I mean, given all this modern technology, we
11 can have you partially present.

12 FACILITATOR KERN: Well, the other part of
13 the reason why I'm asking is it seems that if we're not
14 going to be there, we should really have a pretty good
15 agenda, or else people will, you know, possibly not arrive
16 and we might have one or two that come and that are
17 disappointed.

18 John.

19 MR. BUDROE: Well, depending -- how much of
20 an agenda do you think they have? Would it be worth just
21 cancelling the meeting?

22 FACILITATOR KERN: That's kind of what is
23 really on the table is essentially cancelling, unless
24 there's somebody that feels like it would be worth -- it's
25 the same topic areas, you know, RAP3 update and what's the

1 latest on RAP4.

2 MR. HULTGREN: The other possibility is will
3 one of you be back in the following week or --

4 FACILITATOR KERN: Yeah.

5 MR. HULTGREN: Just postpone the meeting for
6 a week.

7 MR. BERMAN: That makes it awfully -- the
8 full RAB meeting is September 9th it's early in the month,
9 so it seems to me that the only really pertinent agenda
10 item is a summary of the -- of the cemetery meeting and
11 what the outcome, and that seems -- maybe it's more natural
12 to have that discussion with you being there to answer
13 questions that people might have and it seems to me --
14 personally I would recommend that for an agenda item for
15 the September 9th RAB meeting where, you know, you could
16 really -- because I think anything -- the committee meeting
17 surrounding that would just lead so to some questions that
18 would come up at the full RAB meeting.

19 So if that's -- so looking at what the agenda
20 items might be, that looks like a very important one, but
21 so important that it probably should carry over into the
22 full RAB meeting on September 9th.

23 The question is what would the agenda items
24 be that could be discussed? And it's really, you know,
25 some details on RAP4, which would be the discussion, and it

1 would really be -- to make it useful, you know, maybe Mo
2 would have to come there and give us further updates on
3 what's happening in RAP4, but also that's a perfectly
4 logical agenda item for the September 9th RAB meeting.

5 So I'm kind of leaning towards what Julian is
6 saying that we don't have to have a continuing discussion
7 that would profit from further filtering at the committee
8 meeting, and so I was going to actually make a move that in
9 view of the -- of lack of pressing agenda item and the
10 absence of chair and co-chair that we cancel the -- that
11 August 26th meeting.

12 FACILITATOR KERN: There's a motion.

13 MR. O'HARA: Second.

14 MR. HULTGREN: I'm not the one who made
15 the -- I don't want to take credit for the suggestion. I
16 think it was John, probably, but I would second the motion.

17 FACILITATOR KERN: Okay. It's been
18 seconded. Discussion around the motion.

19 MS. GEE: Well --

20 FACILITATOR KERN: Gloria.

21 MS. GEE: -- I was going to say -- I was
22 trying to get in -- I didn't know you were -- one of the
23 possibilities. If Eileen were to provide the financial,
24 that -- along the lines that were raised here and we could
25 look at it at the committee, that would be, I think, of

1 use. That's what --

2 FACILITATOR KERN: That's a good point.

3 MS. NEWTON: But I still think it would be
4 nice to have them before we get together.

5 MS. GEE: So we don't have to wait another
6 month. But if she could provide it to us electronically,
7 that would be the focus of the committee.

8 MS. KRAMER: Or we could just review it and
9 discuss it at the next --

10 MS. NEWTON: At the 9th meeting.

11 MR. YOUNGKIN: There's a new financial
12 report coming out August 15th and she was going to report
13 on that September 9th. So she is going to spend time doing
14 a financial report at the next RAB meeting.

15 MS. GEE: Does that cover what supposedly --

16 MR. YOUNGKIN: That should update what we
17 saw today.

18 MS. GEE: But she didn't do the change. It
19 was like oh, yeah, updating the budget and there's zero
20 difference. That's not what we were asking, and the August
21 16th one would not be any different and it would be a waste
22 of time, really.

23 MR. YOUNGKIN: The August 16th is the
24 quarterly financial, the big report. So it would be beyond
25 what we saw today.

1 MS. GEE: We didn't see very much today,
2 quite frankly, you know. I think it was really -- I feel
3 like it was --

4 MR. BOGGS: I think what he's saying is he
5 won't see anything more at the next subcommittee meeting
6 because it's really planned for September RAB meeting.

7 So she wouldn't be doing anything more for
8 that meeting that she wouldn't be doing for the September
9 meeting.

10 FACILITATOR KERN: What we can do,
11 responding to your comments, is -- I'm certainly going to
12 write her a note about tonight. I know that these meetings
13 are difficult and I want to thank Eileen for having
14 Jennifer and Mo and Mike here.

15 They're -- that's a lot more support for this
16 meeting than we usually have. So that's very much
17 appreciated, but the financial part, it truly is suffering.
18 It's not appropriate that those reports suffer.

19 So that message is going to go back very
20 strongly, and it seems like we'll get that message in and
21 she should respond for the next -- the next meeting.

22 I mean, if your point is to actually have her
23 respond on that current report, kind of correct it by this,
24 then that's -- that may be worth having a meeting.

25 Does anybody else have any thoughts?

1 MS. CHEEVER: I'm going to be in favor of
2 cancelling the meeting and going through that motion, but I
3 would like to add the thought that maybe anybody that have
4 a flexible schedule, which is not all of us, but maybe some
5 should be warmly encouraged to come directly to the August
6 19th meeting.

7 Is that possible? The same energy that one
8 would come to the committee meeting should come to the
9 August 19th meeting. The more people that come to that,
10 the better.

11 FACILITATOR KERN: I agree with that.

12 MR. HULTGREN: Is there any chance of
13 getting a report summary, very brief of what takes place at
14 that meeting or is that --

15 FACILITATOR KERN: Oh, I would think so,
16 sure. I could write that up.

17 MR. HULTGREN: Circulate it and let
18 everybody have a look at it.

19 FACILITATOR KERN: Yeah.

20 MR. YOUNGKIN: Also usually our August
21 committee meetings are probably lowest attendance of the
22 year in my recollection.

23 FACILITATOR KERN: All right. There's a
24 motion and second on the floor to cancel our committee
25 meeting on the August 26th.

1 Any further discussion? All in favor of
2 cancelling the meeting, say aye, please. Aye.
3 Opposed?

4 Motion carries. The meeting is cancelled.

5 MS. SEGAL: Make sure that whoever's not
6 here gets that message.

7 FACILITATOR KERN: Well, so our action items
8 are to go to this meeting next Tuesday, to write a report
9 about it, continue on the -- until we find out about the
10 cemetery and make sure all that information gets out to
11 everybody.

12 Are there any other agenda -- action items
13 that people know --

14 MS. CHEEVER: Could I just suggest -- not
15 quite all the RAB was here -- either Mark or Doug could
16 send out a message to the RAB saying the committee meeting
17 is cancelled. People are warmly invited to come, whatever,
18 however you want to say it, to the August 19th meeting,
19 reiterating the time and the place which maybe not all of
20 it quite have, and finally reiterating that there's going
21 to be another optional site tour in September, sending it
22 out now so that people have plenty of time to plan for it?

23 FACILITATOR KERN: Okay. Very good.
24 Thanks, Julie.

25 Are there any other action items?

1 I think our agenda's pretty clear for the
2 next couple of meetings. Very clear for the committee
3 meeting in August. That was no longer a meeting.

4 Are there any other thoughts or items for the
5 good of the order this evening?

6 Then without a objection --

7 MR. BERMAN: Doug, could I ask -- was the
8 cemetery ever brought up at the Summit meeting?

9 MS. SEGAL: Yes.

10 FACILITATOR KERN: Very, very much, yes. I
11 had the floor for several minutes describing it and that's
12 where Brian and Neil actually suggested to me that before
13 you do any outreach, make sure you don't raise expectations
14 about anything. Make sure you have the legal ground
15 covered.

16 Without objection, meeting adjourned.

17 (The meeting adjourned at 9:05 PM).

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1 STATE OF CALIFORNIA)

2 COUNTY OF SAN FRANCISCO)

3
4 I, the undersigned, herby certify that the discussion
5 in the foregoing meeting was taken at the time and place therein
6 stated; that the foregoing is a full, true and complete record
7 of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the foregoing meeting
10 and caption named, or in any way interested inthe outcome of the
11 cause named in said action.

12 IN WITNESS WHEREOF I have

13 hereunto set my hand this

14 25th day of August,
15 2008.

16 
17 MARK I. BRICKMAN CSR 5527
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25

PRESIDIO RESTORATION ADVISORY BOARD MEETING

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, SEPTEMBER 9, 2008

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator

Mark Youngkin

Eileen Fanelli

Mohammad Bazaugani

Brian Ullensvang

Bob Boggs

Agnes Farres

Jan Blum

Gloria Gee

Sam Berman

Jan Monaghan

John Budroe

Michelle Passero

Edward Callanan

Barbara Newton

Toni Kramer

Kevin Whilden

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BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on December 11, 2007, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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AGENDA

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1 FACILITATOR KERN: Welcome, everyone to the
2 regular meeting of the Presidio Restoration Advisory Board
3 for September 2008. I'd like to welcome the Presidio Trust
4 and their contractors, the National Park Service, our
5 regulators, DTSC and the Water Board, thank you for being
6 here. Thanks to all the community members for being here.
7 Hope you had great summer vacations and trips. I know I
8 did.

9 Does everyone have an agenda and are there
10 any changes or anything else to the agenda?

11 All right. Moving ahead, are there any
12 announcements?

13 We had a cemetery meeting. I'm thinking
14 Julian was at the cemetery meeting and Mark was there. At
15 that meeting, I would say that the Trust invited their
16 attorney; Park Service attorney was there. There was a
17 Park Service cultural resource person. There was a Trust
18 archeologist.

19 We went through a great variety of
20 information about what materials were in the landfill, what
21 kinds of test pits had been dug, what human remains had
22 been found in and around the landfill, and then we went
23 through what I would loosely call the legal landscape
24 around removing fill material from the landfill.

25 We can probably get this into more detail

1 under item 5D, the actual discussion around landfill 8, but
2 as a result of that meeting, I think it would be fair to
3 say at this point in the meeting that there were no legal
4 impediments to removing the fill material.

5 This is not a national cemetery; it's a
6 historic cemetery, so laws that might prevent you from any
7 disturbing of the area did not apply.

8 So Mark, did you have any other observations,
9 or Eileen, you were there. Bob, you were there. Brian?
10 Any other -- that's kind of a thumbnail sketch.

11 I was -- there was a lot more to it. The
12 meeting did last a couple of hours. I think it's fair to
13 say that the Trust archeologist warned against disturbing
14 the remains. He felt that that would be disrespectful to
15 do that.

16 Park Service, cultural resources person also
17 made a comment that they felt that the remains -- that the
18 Park Service wouldn't actually go at removing material.

19 So I think we can probably get into more
20 discussion about -- about this under item 5D, but I want to
21 at least give a thumbnail description of that, and I can
22 also report on -- that that has allowed me to move ahead
23 with identifying two organizations which existed at that
24 time, whether the cemetery was active, that members of the
25 -- or at least one of them existed at the time. One of

1 them exists to this day, so there -- I know it's confusing
2 with the way I say there may be at least two organizations
3 that might have an interest in the cemetery which I'll be
4 recommending that we contact and discuss what the issues
5 are around the landfill in the cemetery. Does that
6 reasonably cover that meeting, at least to this point?

7 Committee meeting. Mark and I weren't there
8 and nobody else should have been there because we cancelled
9 that meeting.

10 So would you like to hear a report on that
11 meeting?

12 MR. YOUNGKIN: Well, the next meeting is on
13 September 23rd.

14 FACILITATOR KERN: Would you like to give a
15 report on what you were doing during the time that --

16 MR. YOUNGKIN: No thanks.

17 FACILITATOR KERN: Okay. No report. I
18 tried to get him on that.

19 Yes.

20 MR. BERMAN: Doug, concerning the
21 excavations surrounding the cemetery, I had not heard
22 before that the Presidio -- that the Trust archeologist
23 recommended against disturbing the remains.

24 Does that mean essentially that -- if I
25 translate that, does that mean that no -- the archeologist

1 would be against any excavation?

2 I mean, how far down are the remains? Would
3 it make any sense to excavate part of it in some sense?

4 FACILITATOR KERN: Well, I think that's
5 precisely the discussion that we should have, and since
6 Eric Blinde, who's the archeologist for the Trust isn't
7 here, I don't necessarily want to speak for him, but I
8 can -- I think it would be fair to describe what he has
9 seen and what he has reported on, but I don't want to say
10 what his opinion would be.

11 But I think what you're recommending is where
12 the discussion should be. I mean, are there -- what is the
13 likelihood that we would encounter human remains in the
14 rubble material overlying the cemetery.

15 I think it gets down to that question.
16 So -- and we do have data about that.

17 MR. BERMAN: It's just that I'm trying to
18 translate the archeologist's statement into something which
19 is a -- an engineering decision.

20 MS. FANELLI: The discussion had nothing to
21 do with remediation in particular other than is there any
22 legal --

23 MR. BERMAN: Right.

24 MS. FANELLI: -- reason why you could not
25 disturb the waste. No, there is no legal reason why not.

1 My understanding of the discussion -- and
2 actually, it was more of the Park Service's cultural
3 person, but I'm forgetting his name.

4 MR. ULLENSVANG: His name is Fred Kinkel.

5 MS. FANELLI: I'm going to paraphrase it --
6 and you guys can correct me if I paraphrase it wrong or you
7 heard it differently -- was that they have policy and
8 procedures, and in this case, they have -- when they have a
9 historical site such as the cemetery, their policy is to
10 disturb it as little as possible, and so they would -- they
11 would defer from moving the waste -- from -- for trying not
12 to disturb the cemetery, and it's sort of a policy level
13 decision or position that they have.

14 MR. ULLENSVANG: Yeah. I think Craig also
15 mentioned that there was a balancing of different policies
16 that might be needed with respect to any contamination, and
17 sometimes Park Service policy on their surface have
18 conflicts.

19 MS. FANELLI: Right.

20 MR. ULLENSVANG: And that then becomes a
21 discussion of how in the particular case are policies
22 balanced to make the best decision.

23 MS. FANELLI: That's correct.

24 FACILITATOR KERN: I'm -- I would just
25 piggyback a little bit on that and -- to say that was

1 probably the Park Service's general view.

2 MS. FANELLI: Yes.

3 FACILITATOR KERN: I don't know that Craig
4 necessarily was referring to this site, but that was their
5 general -- what they would generally look at.

6 So I think it's -- it's still open for
7 discussion, so we'll -- I think we should leave that for
8 item 5D if we can so we don't delay the whole meeting, and
9 I know Eileen's got a variety of slides and other things
10 that we should review.

11 So our next meeting, September 23rd?

12 MR. YOUNGKIN: Mm-hmm.

13 FACILITATOR KERN: Very good. Is there any
14 other discussion at this point around that, those meetings?

15 Let us move on to our construction update
16 around RAP3.

17 MS. FANELLI: We're actually -- if you -- if
18 you do not mind flipping ABC to be C, B and A because
19 that's how I structured the slide.

20 FACILITATOR KERN: Sure.

21 MS. FANELLI: And I heard that there was
22 some question on some of the finance slides. Some were not
23 legible last month when I was not here, so I've tried to
24 make all of these slides perfectly legible. Hopefully it's
25 true, and in addition, I think Mark, you did send out a

1 quarterly report, which has normally been provided. It
2 just hasn't been routinely sent out in advance.

3 FACILITATOR KERN: Mm-hmm.

4 MS. FANELLI: So you should have gotten a
5 copy of it if you wanted it.

6 So I'm going to cover the financials,
7 focusing on current estimate at completion for our
8 projects, and then looking at where we stand with RAP3 and
9 RAP4 in particular.

10 Then Mo is going to go into the thirty
11 percent design, where we stand on design for the sites
12 included in RAP4, and then time being available, we have
13 some updates and some pictures of the work associated with
14 the RAP3 sites.

15 So this is our standard table that you've
16 seen before. It's the big picture overview. It shows you
17 the 1999 budget for the CERCLA, lead-based paint and
18 petroleum in our sort of admin costs.

19 It shows where we are currently spent and it
20 shows remaining to complete.

21 This number is very similar to the number
22 from second quarter 2008. Actually, from a project
23 standpoint, it's exactly the same number. We haven't
24 changed any of our project estimates to complete.

25 What is different here -- and is likely to

1 change in the future -- is the line item called Trust
2 funding. This is a new line item that hasn't shown up in
3 reports before. Our reports historically have focused on
4 the 1999 Army funds.

5 We have spent Trust general fund money in
6 support of the remediation program. It has not used any
7 Army dollars, and at this point we're showing those dollars
8 and projections here.

9 I will be perfectly straight with you the
10 number that is shown, four million -- 4.1 million is likely
11 to change, so when you see the fourth quarter report, that
12 number is being discussed internally.

13 Thanks, Mo. Which one is it?

14 MR. BAZAUGANI: This one.

15 MS. MONAGHAN: Is that the overhead number?

16 MS. FANELLI: It's cost. It's time that we
17 spend administering the program.

18 MS. MONAGHAN: Okay.

19 MS. FANELLI: But the funding for it is not
20 what we think of normally as Army funds. It's Trust
21 operating dollars, basically. Okay.

22 FACILITATOR KERN: Is this number, then -- I
23 know the RAB recommended for many years that the Trust
24 begin to try to pay for some of those unallowable costs.

25 MS. FANELLI: Right.

1 FACILITATOR KERN: Is that what that is?

2 MS. FANELLI: It is, but -- but it's not
3 that clean that I could say they're all unallowable. The
4 vast majority of labor costs are unallowable costs.

5 So it's pretty much, but there are oftentimes
6 some allowable labor costs and those are -- are worked out
7 in advance with -- with Zurich and there's endorsements to
8 that effect of what costs are actually allowable.

9 MR. BERMAN: I'm just trying to understand
10 this number. Is this the sum total since the Trust began
11 in 1999?

12 MS. FANELLI: That is correct.

13 MR. BERMAN: Okay.

14 MS. FANELLI: This is the approved to date.
15 So that's actually cash and accruals. So things that are
16 waiting to be paid.

17 MR. BERMAN: I meant on the Trust funding.
18 Is that --

19 MS. FANELLI: Yes. It would include -- this
20 is a complete picture. So it includes whatever's been
21 actually spent to date versus -- and actually accrued to
22 date is a small number.

23 You can see it right here. It's the 300,000,
24 and that's projected. But I want to be clear that next
25 time you see this report, don't you be surprised if that

1 number has changed because we're doing some internal
2 workings on it.

3 But the other numbers here, except for, of
4 course, accrued to date is updated each quarter. The
5 budget numbers have not changed for the projects.

6 FACILITATOR KERN: You know, for some reason
7 -- I don't know if it's just a newer better layout the way
8 you presented it, but I never noticed before that the
9 entire estimated completion budget for the CERCLA portion
10 alone is almost the total original budget, the 93.2 million
11 under column B for CERCLA.

12 MS. FANELLI: Yes, here.

13 FACILITATOR KERN: That's almost the entire
14 original estimate of the hundred million. I never really
15 never noticed that.

16 MR. BERMAN: But that's why the major cost
17 growth has occurred, so that shouldn't come as a surprise.

18 FACILITATOR KERN: I knew that it was mostly
19 there, but I didn't really ever put it to that. It was
20 almost the entire original budget --

21 MR. BERMAN: Right.

22 FACILITATOR KERN: -- over a hundred million
23 dollars. I mean, that plus the insurance policy is a
24 hundred million dollars.

25 MS. FANELLI: Let's go to the next slide.

1 This is just a little snapshot view of it,
2 and I just tried to give it in different way, not numbers.
3 But you can see -- which one is it again?

4 MR. BAZAUGANI: This one.

5 MS. FANELLI: Okay. So these are what's
6 been spent to date. This column and this column, and I've
7 differentiated between what's an allowable cost and that's a
8 non-allowable cost.

9 Total spent to date would be this column plus
10 this column here. This is the known remaining, our
11 estimate of unallowable and allowable, and the unknown
12 remaining cost to be spent to date. So just a different
13 form of looking at it.

14 MR. BERMAN: What does unknown mean?

15 MS. FANELLI: The -- the unknown sites are
16 sites that weren't originally --

17 MR. BERMAN: Okay.

18 MS. FANELLI: -- identified.

19 MR. BERMAN: Unknown sites.

20 MS. FANELLI: Unknown sites. I'm sorry.

21 FACILITATOR KERN: Could we interpret from
22 this -- the way I interpret that is really half the money
23 has been -- half the work has been done?

24 MR. BOGGS: 45 percent.

25 MS. FANELLI: This is not -- yeah. This is

1 what's remaining to be done. So a little bit more than --
2 than half the work has been done. About fifty percent
3 complete.

4 MR. BOGGS: Actually, if you go to your
5 previous slide, you actually have the number.

6 MS. FANELLI: Yes. I did put percentages
7 there. Those percentages are based on dollars. They're
8 not based on site work. So it's a percent spent.

9 Theoretically that should be a percent
10 complete, but they don't always align directly.

11 This is a slide that I think we showed you
12 last month. I wasn't here and it was not legible. Let me
13 go through it this month for you.

14 It is simply a list of the six projects that
15 had the most cost associated -- the most invoices or bills
16 come through, and we're still getting lag time on the Baker
17 Beaches in terms of invoicing, so that's why they are
18 there, and then these are the RAP3 site, had some charges.

19 It was one that was originally -- was
20 completed early on in the project, so that's why those
21 charges have come through.

22 1065 petroleum, we did a significant amount
23 of work and those charges came in. Same with 1349, those
24 sites are very close to being finished in the field and
25 we're in the process of writing up the actual construction

1 completion documents.

2 And then we did a quarterly groundwater
3 monitoring, so that's why you see charges for groundwater
4 monitoring.

5 There's another one happening this month. As
6 a matter of fact, I think it begins next week.

7 We have not changed our budget estimates for
8 any of these projects at this point, so this is -- what's
9 been charged to date is still our current estimate to
10 completion, at completion.

11 I have this wrong here. Yeah. This is a --
12 if you add cumulative and estimate to complete, it will be
13 estimate at completion, and there's just not a difference.
14 I'll fix this title so it's a little bit more clear next
15 time.

16 MS. NEWTON: What was the difference
17 supposed to be between? What was the difference -- the
18 difference was --

19 MS. FANELLI: The difference was between
20 budget estimate, our current budget and what we're
21 currently estimating at completion. So this is our current
22 budget, and what this number should be is estimate at
23 completion, and if it was, these would be the same number.

24 MR. BERMAN: Well, I think what would be
25 much more interesting is a column which said original

1 proposed budgets and budget at completion or proposed
2 completion budget and then the difference. Because that's
3 really -- if you wanted to show these, the main projects
4 that overshot the original estimates, I think the valuable
5 summary, speaking for myself, would be a column which
6 showed the difference -- the difference column that I would
7 like to see is not one that says zero.

8 The difference between what the actual costs
9 are and what the original estimate was.

10 MS. FANELLI: Right. I could put the 1999
11 estimate on a budget level on there. The truth is almost
12 virtually every single one has changed.

13 So in a way, it's almost more valuable to say
14 okay. This is the current value or number that we have
15 that our board has approved that's shown in the Trust books
16 and then show variance from there.

17 Going back to 1999, we could certainly do
18 that.

19 MR. BOGGS: There was actually an estimate
20 when you contracted these. So it wouldn't have to be that.
21 It should be the estimate -- the engineer's estimate when
22 you went out to bid.

23 MS. FANELLI: Right. Well, these numbers,
24 the current budget represents our best knowledge of what
25 the costs are, and that's based on -- it's updated

1 quarterly. It's based on engineer's estimates or whatever
2 new information that we have, and I'll show you an example
3 actually on the next -- next slide here.

4 FACILITATOR KERN: If I might before you go
5 on, I was just going to -- we worked with -- for --
6 actually for a few years trying to help craft some
7 semblance of what the report is, and I think what Sam was
8 trying to get at, we might agree that maybe the 1999 budget
9 is, you know, so long ago as to be somewhat irrelevant, but
10 having it available, and then there were actually other
11 interim budgets just as milestones where the Trust tried to
12 update their thought process --

13 MS. FANELLI: Mm-hmm.

14 FACILITATOR KERN: -- and that is actually
15 valuable in some sense to see how the estimates were
16 changing and to have some -- you know, to really know where
17 that variance that you were talking about, where that's
18 coming from.

19 Is that from just six months ago or on what
20 basis. If we could have something like that, and maybe
21 Michelle, you had something along those lines.

22 MS. PASSERO: Yeah. I was thinking that if
23 there was actually going to ultimately be some
24 justification or ask either back to Congress or wherever
25 trying to look at additional funds, that having that

1 historical information would be important so they can say
2 this is what we projected, this is the gap. This is why
3 and, you know --

4 MS. FANELLI: The Trust has all of that
5 information. As a matter of fact, every quarter we report
6 to our CFO and we have the quarterly estimate, the change
7 from the previous quarter and it's all detailed.

8 Some of that information is actually in the
9 quarterly report that was sent out. If you look at table
10 3, it doesn't include the 1999 budget, but it does show you
11 if there was a quarterly change from the previous quarter.

12 It is not all laid out on one page, but it is
13 documented. And so that history is there in the books, and
14 we can talk about, you know, how we want to look at it in
15 the future.

16 The truth is at this point the project
17 budgets have not changed since I got here. I have not
18 changed any of them. I've evaluated them. I've looked at
19 them. I'm in the process of trying to do a thorough review
20 before I recommend to the CFO changes, and that's because
21 it's a large project with many component parts, and I don't
22 want to recommend changes to one component without
23 understanding how it affects the overall picture.

24 And because we have over a hundred separate
25 project line items, that is just taking a little bit of

1 time to -- to do.

2 Let me show you, though, the next slide
3 because you'll see we're in the process -- let me point out
4 this bottom disclaimer estimates to complete are
5 preliminary numbers for discussion. They are not approved
6 by the financial group.

7 But this is the RAP3 sites, not the Baker
8 Beach sites which we all know were horrendously over their
9 original budget estimate.

10 But these are the sites that are currently in
11 progress now, and we sat down, and I've been working with
12 Ryan Sielbach, as you know, and Alan Ancheta, our
13 accountant, and trying to really ascertain where we're
14 going to be at completion, and what you can see is here is
15 the current budget.

16 This is what is in our total estimate that
17 you just saw on the first table, so that's what's in the
18 books. This is where we are spent to date. This is our
19 estimate to complete, our estimate at completion and then
20 you see a difference.

21 In some projects, we're not estimating any
22 change in budget, but many projects, these -- we're
23 estimating a savings that we're going to come in under
24 budget at completion.

25 This one, building 669 is the incinerator

1 site and has become our problem child in RAP3. The volume
2 is way bigger than anybody could have imagined. The waste
3 is coming up much higher soluble leads that could be a RCRA
4 hazardous waste, and that project we're estimating to be
5 underbudgeted right now by as much as \$750,000.

6 But if you add all of these together as a
7 total, we're still -- if you look at the RAP3 sites as a
8 group -- doing a little bit better. About a million and a
9 half under budget.

10 So this is the process that we're going
11 through and this is where we stand in RAP3, and what I've
12 shown you in terms of budget here, unlike previous
13 presentations which I've just shown you the construction
14 budgets, these are actually the total budgets on the Trust
15 books.

16 So that includes our planning budgets for
17 these sites, which is virtually spent, the remediation
18 budgets, which is the construction dollars, which is where
19 we're at now, plus the post restoration budgets for any
20 quarter quality monitoring or any other things that we
21 would do after construction.

22 Yes.

23 FACILITATOR KERN: You mentioned, I think,
24 that there were still some outstanding bills to pay or
25 something with Baker Beach 1 and 2.

1 MS. FANELLI: Mm-hmm.

2 FACILITATOR KERN: And it was like about 1.2
3 million worth of outstanding --

4 MS. FANELLI: Did I just say that now?

5 FACILITATOR KERN: Well, I was just looking
6 at the numbers on the past slide.

7 MS. FANELLI: Let's go back to the past
8 slide.

9 FACILITATOR KERN: It looked like estimate
10 to complete is about roughly 1.2 million.

11 MS. FANELLI: Yeah. These are -- these
12 estimates are what was reported last quarter, and even with
13 our outstanding bills, we're going to be within that
14 estimate.

15 We're reviewing the last two invoices because
16 if you're familiar with construction, those last two -- the
17 last bit of work was what was done on what was called a
18 force account, so it's a time and materials. So it's based
19 on what actually happened in the field.

20 It has taken the contractor a while to get us
21 the invoice for that work, and we're going through it with
22 a fairly fine tooth comb to make sure that those charges
23 are all legitimate.

24 But even if we paid the two outstanding
25 invoices, I think all total are on the order -- I don't

1 have them broken out between 1 and 2A, but the combined is
2 about \$450,000.

3 We were questioning quite a few of those
4 charges, but even if we paid those 450,000, we're still
5 going to come in under this budget. That budget is
6 different from the 1999 starting budget.

7 FACILITATOR KERN: So the estimate to
8 complete, that's just a number -- that just happens to be
9 the difference between the budget and what you've spent.
10 So there's no updated --

11 MS. FANELLI: Right now, it is -- well, it
12 is updated, because -- in the sense of when we set this
13 budget, there was some thought put into it about what it
14 was going to cost --

15 FACILITATOR KERN: Of course.

16 MS. FANELLI: -- in this particular case,
17 because the vast majority of Baker Beach cost are already
18 incurred costs. There's really no numbers to project.

19 These are pretty much coming in budget.
20 These were set in December 2007 when the problem was
21 recognized and the budget was set, and we're coming in
22 pretty close to that budget is how I would portray it.

23 FACILITATOR KERN: I'm just -- I guess what
24 I'm -- I'm just trying to get a sense of reconciling what
25 you told us was about -- it's really about 450,000

1 versus --

2 MS. FANELLI: Mm-hmm.

3 FACILITATOR KERN: -- the 1.2 million.

4 Is that kind of what you're saying? Left to
5 be spent on those projects.

6 MR. BOGGS: The estimate complete is the two
7 columns at 1.2.

8 MS. FANELLI: I see what you're saying.

9 MR. BOGGS: And really they should be
10 updated to be 450, roughly.

11 MS. FANELLI: Well, 450's the construction.
12 There's also some post restoration monitoring that's
13 included in the budget, particularly for Baker Beach 1.
14 I'm sorry. I'm taking a while to understand the question.

15 FACILITATOR KERN: I'm sorry it wasn't
16 clear.

17 MS. FANELLI: That's okay. I'm just
18 noticing that this might be a bust here. Because that
19 number may not match Colma in here. This spot I feel
20 pretty comfortable.

21 FACILITATOR KERN: We really appreciate
22 being able to have this conversation with you. It's really
23 just trying to get.

24 MS. FANELLI: Right.

25 FACILITATOR KERN: Look at the numbers, what

1 pops out, ask you questions

2 MS. FANELLI: Right. So this estimate to
3 complete does change. It's tied obviously to scope and
4 budget, and so what we -- I hope what my PMs are doing is
5 clearly estimating and clearly planning for what it's going
6 to take, what needs to be done at any point in time.

7 When things change, that's when that estimate
8 to complete number changes, and they'll often look at it
9 relative to the budget that was set, and then they'll make
10 a call or they'll come to me and say, "Well, I think I'm
11 going to be under; I think I'm going to be over. Shall I
12 change that budget number?"

13 And at that point, I haven't changed any
14 budget numbers because I want to get the majority of these
15 project scope changes vetted first.

16 So I can go in and say, you know, our project
17 -- monies for different projects are shifting and
18 understand how that affects the overall liability.

19 So that I'm not going to -- you can
20 understand that I don't want to go to my finance people or
21 to Zurich and say, "Oops, the picture's gotten much worse,
22 because I've only looked at Baker Beach sites and I haven't
23 looked at everything else," or contrary, say it looks much
24 better and then say, "Oops, I haven't looked at these
25 sites."

1 So that's why I'm trying to get a balance all
2 total.

3 FACILITATOR KERN: I think we really
4 appreciate that because we know Craig had some challenges
5 with shifting budgets and we had a number of conversations
6 with him about -- about that, so --

7 MS. FANELLI: Well, the occurrence of Baker
8 Beach, it's changed the dynamics in terms of being on the
9 button and on the ball with these numbers.

10 So here's the RAP4 sites. We did the same
11 thing here. Again, I want to let you know that these are
12 preliminary and they're not approved, but this is very good
13 news.

14 This is the current budget that's on the
15 books. This is what's reflect in that first table, but
16 we're estimating, based on the remediation -- remedial
17 designs and remediations that we discussed in here, and
18 you're going to hear about the thirty percent designs, if
19 that is what we do, we're estimating a savings over that of
20 completion that's about three and a half million dollars
21 less than what's on the books right now, 9.8 million versus
22 13.3 million.

23 And it's mainly associated with landfill 10
24 and 8. You can see PHSH fill, which is an unknown site,
25 which there was no budget set for, and we have incurred

1 costs because we've done a fair amount of investigation on
2 that site.

3 Small arms firing ranges, we're not
4 estimating any change in that budget, and as a matter of
5 fact, if I put Barnard Avenue into small arms firing
6 ranges, which is where it was originally -- but if you
7 remember, it's underneath. It's buried primarily by
8 landfill E. There's a little bit of it that sticks out
9 from landfill E -- then that budget would probably be
10 blown. It would be too low.

11 So we may be -- we're making an internal
12 decision do we handle that particular site as part of
13 landfill E or do we put budgets separately here for it.

14 It's six to one/half dozen of the other, but
15 to all the other sites, the other small arm sites, we feel
16 that we can complete the work at CHP range, which is part
17 of RAP4 without changing the overall budget.

18 And in graded area 9, I'll be honest. I
19 don't think we've gotten an estimate for that construction
20 yet. So I show no change here, but we haven't -- we
21 haven't vetted that one out. That's why I show zero
22 difference.

23 So this number may be conservative. If we do
24 graded area 9, we might even have a little bit more money
25 there.

1 FACILITATOR KERN: I don't mean to dominate
2 the questions, so please if you have questions, please ask
3 them, but I was noticing on landfill 8, cumulative to date
4 seems like a -- just jumping out to me as a pretty high
5 number --

6 MS. FANELLI: Mm-hmm.

7 FACILITATOR KERN: -- since we haven't
8 actually done anything there.

9 If we had a question like that and we kind of
10 wanted to pursue, you know, for the good of the group what
11 did we do there in the past that caused us to incur that
12 kind of cost, would there be a comfortable way that we
13 could --

14 MS. FANELLI: Sure.

15 FACILITATOR KERN: -- inquire?

16 Because I think that one -- that one just
17 really jumps out. I could see spending a fair amount on
18 landfill 10 with all the seismic work and a lot of
19 investigations. I don't even know what we've really done.

20 MS. FANELLI: We've done a fair amount of
21 trenching, historical work and what not. Certainly all
22 these -- what these represent is all available and public
23 information. So that's not a problem.

24 I couldn't sit here and add it up for you
25 today.

1 FACILITATOR KERN: No.

2 MS. FANELLI: I think it's good, though, to
3 look at those numbers because these -- these activities are
4 expensive, and we talk about them and we do things, that it
5 does come out of cost.

6 MR. BERMAN: So I notice that also -- and I
7 was assuming that there was a fair amount of sampling done
8 by contractors for a -- which is --

9 MS. FANELLI: There has been.

10 MR. BERMAN: Which was what I was guessing.

11 MS. FANELLI: There was wells installed.

12 The sand that is sitting on graded area 9,
13 that sand has been distributed across these costs, these
14 costs in here, because it was already delivered. It's the
15 cost of material. So that cost is already reflected and
16 incurred to date.

17 MR. BERMAN: And just as a reminder, the
18 principal reason for the cost savings in 10 and 8 are
19 the -- the change in going from clean closure to -- to
20 treatments that don't involve the amount of excavation and
21 removal that were in the original thinking?

22 MS. FANELLI: I don't believe that 8 or 10
23 was ever slated for clean closure. The cost estimate
24 reduction is based on higher level of design, which Mo's
25 group has been responsible for, and I think in the case of

1 landfill 10, there's been some modifications for the final
2 remedy.

3 There's less earthwork involved --

4 MR. BERMAN: Right.

5 MS. FANELLI: -- and less covering involved.
6 It's different. So that's the reason there.

7 That's what I have on finances. I'm
8 certainly happy to answer any specific questions,
9 particularly if you've reviewed the quarterly report, but I
10 didn't want to -- if you read the quarterly report, there's
11 a fair amount of information there on the status of
12 different sites that hopefully ties back to those numbers
13 that you see, because it's being reported on a project
14 basis, and I did want to point out the milestones,
15 particularly because Agnes is here, and in the last quarter
16 and a little bit longer, Regional Board has issued closure
17 on -- oh, I'd say probably a hundred tanks all total that
18 we have grouped into groups 1, 5 and group 2, and actually
19 since that slide, we've gotten closure on 4, group 4 plus a
20 couple of other sites. So we're doing very well on our
21 petroleum program.

22 We're doing well on CERCLA, as well. We've
23 submitted closure, final closure for the Crissy Field OU.
24 That's sitting on Bob's desk, as well as for the building
25 1827 area, which was a former pesticide storage site over

1 near the Public Health Services Hospital, and we've
2 requested no further action for an indoor firing range on
3 building 649. So that's good.

4 We have completed the master schedule. It is
5 attached to the quarterly report if you wanted to take a
6 look at it. It does show project completion in 2014, and
7 it is a RAP a year sort of standard. So that's available
8 for you to take a look at.

9 If you have questions on it, you can ask.

10 We're doing well on lead-based paint, as
11 well. We actually haven't done a lot of remediations on
12 lead-based paint in soil, and that's something that we're
13 working with, because our lead-based program is really
14 closely tied to our -- the Trust maintenance program and
15 landscaping program, because we don't clean up lead-based
16 paint in soil until we stabilize the paint on the buildings
17 or are able to replace the landscaping.

18 And so we're working on some issues with
19 that. So we haven't done a lot of buildings in the last
20 quarter, but because we have Ryan Miya on board, we have
21 gotten our lead-based paint soil investigation work plan
22 updated and hopefully is meeting his expectations, and
23 we're starting to now package, if you will, all of the
24 sites that are done so that Ryan Miya can review them and
25 hopefully issues closure documents to us for them, and

1 that's about -- we've done about fifty percent of the
2 buildings on the Presidio at this point in time.

3 And that's my report. Is there --

4 MS. PASSERO: I just had a question. Thank
5 you.

6 MS. FANELLI: You're welcome.

7 MS. PASSERO: I guess just to try to get a
8 sense of context. I know you're doing all this work and
9 doing the financial analysis and sort of a big picture plan
10 of where you think things are headed and if, you know,
11 there is some sort of -- what kind of planning process
12 might be going on for future if, in fact, you think there
13 may be need to be some gaps closed in terms of raising
14 funds or getting additional funds for cleanup of the
15 Presidio in time.

16 Like can you explain a little bit more about
17 maybe what your thinking is around that or what kind of
18 process you're involved in, you know, just any kind of --

19 MS. FANELLI: I don't think the Trust right
20 now has plans to go back and seek any additional funding
21 for the program. We're trying to use our resources as
22 wisely as we can and we're working with the Army for all
23 known sites to provide us funding and we're working within
24 the -- the requirements of our RCSL and insurance policies
25 to cover it.

1 If there were significant sites that popped
2 up or issues that were not fundable through the Army for
3 whatever reason, I'm sure that the Trust would pursue
4 funding as best it could for those.

5 But there -- I think what we're trying to do
6 is convince ourselves of where we stand, look for as many
7 efficiencies in our budgets as possible, and it's an
8 evolving -- how we're going to make sure that we meet our
9 charter, it's evolving.

10 We certainly have a regulatory mandate from
11 these two folks to do it. So they're not going to let us
12 off the hook. At some point it's going to get done.

13 FACILITATOR KERN: I think maybe to follow
14 up on Michelle's question, one of the things that we
15 projected here in the group was that even though we might
16 still want to do various projects, we would actually run
17 out of money potentially in 2010 or 11 before -- and
18 perhaps even in the middle of a project, and did you have
19 any thoughts about how the insurance thing might work or
20 how we might float, you know, the cash flow issue,
21 basically?

22 MS. FANELLI: I actually don't have an
23 answer for that at this point in time. It's certainly
24 being thought about and we're working through it, but I
25 don't have an answer for it.

1 I think it's an unknown.

2 MR. BERMAN: A minor administration
3 question. Is there a document that summarizes all the
4 petroleum sites?

5 MS. FANELLI: One document?

6 MR. BERMAN: Yeah. It seems like it's a --
7 there's a lot of -- I mean, a couple of hundred or so or
8 maybe more. It would be nice if there was a document that
9 just listed them all and -- because it's getting pretty
10 close to completion.

11 MS. FANELLI: It is.

12 MR. BERMAN: And it would be nice if there
13 was a document that summarized all the petroleum sites.
14 Because it seems like you're working towards that with the
15 lead-based paint that you --

16 MS. FANELLI: Yes, and --

17 MR. BERMAN: And so it seems like a natural
18 with the petroleum.

19 MS. FANELLI: There is a -- well, certainly
20 the order itself identifies the vast majority of the sites.
21 We don't have a separate -- and then so the order
22 summarizes the sites.

23 I have identified the main sites in this most
24 recent quarterly report, and we are working with some
25 internal tools that help us summarize and identify all the

1 key documents associated with each site, and it's part of
2 the reason why we're developing it is to document what
3 we've done, but then also to make sure we've done
4 everything that we need to do, sort of a cross check
5 activity.

6 MR. BERMAN: But doesn't --

7 MS. FANELLI: It's not really a document
8 ready for public digestion. We're working on it.

9 MR. BERMAN: But that's a scatter of all
10 kinds of documents defined. If you wanted to say look at
11 the petroleum program and have a record of it, you can't
12 really find it. You have to go to all these other places
13 to find a -- a complete history.

14 I mean -- and it seems to me you're actually
15 putting together something in lead-based paint which is
16 taking all the buildings and showing which have been done
17 and what needs to be done.

18 MS. FANELLI: Mm-hmm.

19 MR. BERMAN: And so there will be a document
20 for the lead-based paint, and if you really wanted to find
21 out about the petroleum stuff, there's no real place to go
22 at this point.

23 MS. FANELLI: Not at this moment, but we are
24 working on summarizing it in a more coherent manner. We
25 are working on our web page, which will identify all the

1 petroleum sites separately, and we do list -- I think our
2 documents identify some of the petroleum by sites
3 separately.

4 But I agree with you, Sam. It's not a nice
5 cohesive story. It is something that we're working
6 towards.

7 MR. BERMAN: Actually, it's a nice story,
8 too, because the budget worked out pretty well and the
9 regulatory administration was reasonably sanguine and it
10 seems to me that it --

11 MS. FANELLI: It is a good story. And so
12 your point is well taken, and we are trying to work towards
13 developing a story for you, as well as for the CERCLA,
14 because it's a nice way for us now to document and tie all
15 the pieces together, show that we met our requirements for
16 the order of the consent agreement, show that we have a way
17 to capture the information of what we did, where we have a
18 land use control or there's stuff that left, it links to
19 that so there's in a history.

20 Your point is well taken. We are working on
21 it. I can't tell you when I'd have the story, though, for
22 you to present.

23 FACILITATOR KERN: Jan had a question.

24 MS. BLUM: I'm just wondering with respect
25 to the lack of adequate budget to really properly clean up

1 the Presidio that's running around 34 million right now, if
2 that is something that ever comes up at the Summit level.
3 That would be -- I have a couple of related questions about
4 that.

5 I feel like that -- first of all, we have
6 this wonderful urban park right in the middle of a hugely
7 populated area, probably the most visited national park in
8 the world, or certainly in the United States where we have
9 some 2,500 people living here, where we have sixteen
10 endangered species living on the Presidio, and with this
11 kind of use of the Presidio, I feel like we should expose
12 ourselves to all steps possible to get as much of the toxic
13 material cleared out of here forever and not have it, which
14 is apparently what we're looking at in order to come to
15 budget, or to come in on time and on budget.

16 So I would like to suggest that if it's not
17 on the Summit list of the agenda that it be put on the
18 agenda, and if it's not on the agenda or -- and in addition
19 to that, that the RAB may wish to write a letter to the
20 Presidio Trust expressing our interest in pursuing all
21 means to find ways to raise money in the future to clean
22 the Presidio up properly once and for all for all time and
23 not leave this kind of material here for generations.

24 FACILITATOR KERN: On item number 7, we have
25 the September -- it should be 23rd I think is the actual

1 date. That was my error. I think I put 22nd. It should
2 be Tuesday, the 23rd, and I think we have a proposed agenda
3 and I do believe that we will -- that
4 the --

5 MS. BLUM: Okay.

6 FACILITATOR KERN: -- financial is on that
7 agenda, and it has been for every Summit meeting that we've
8 had. That was the reason that the Summit meetings came
9 into existence.

10 MS. BLUM: I don't believe that we've
11 arrived at that point. I feel it's terribly important and
12 I feel it's like my obligation, so I'm not sure that the
13 agencies and the parties that have the decision-making
14 power agree to that.

15 FACILITATOR KERN: Well, and I certainly
16 think -- my feeling is that everybody recognizes that
17 there's an issue, that there's certainly a big issue out
18 there. It's certainly well within our purview to raise the
19 issue and to discuss it and to check in on the plans, and I
20 assure you that is part of the agenda is to continue to
21 routinely and professionally check in on that.

22 As we all know, the Trust is pursuing any
23 number of projects right now.

24 MS. BLUM: Oh, yeah.

25 FACILITATOR KERN: And so where does the

1 cash flow fit into the greater scheme of what they're
2 trying to do? And, you know, for all of us, it's obviously
3 looming out there. It's going to happen pretty soon.

4 So we just need to keep checking in, and I
5 absolutely appreciate your sense of urgency.

6 I will certainly carry that message
7 personally to the Summit meeting, and it -- that was the
8 reason for having this item. We'll get to it at item
9 number 7 and maybe talk about it a little more there.

10 MS. FANELLI: So I'm going to have Mo go
11 through RAP4 and where we are with design.

12 MR. BAZAUGANI: Hi. RAP4 consists of the
13 PHSB area for landfill 10, the PHSB fillsite which pretty
14 much the -- nothing is going to -- in terms of remediation
15 and remedial activities, no activities are planned for PHSB
16 fillsite except managing what is there right now.

17 For landfill 8, there's a design in place, thirty
18 percent design is in process, has been completed and we're
19 moving on to the sixty percent design, which will be
20 completed in about a couple of months.

21 MS. KRAMER: And what is that design?

22 MR. BAZAUGANI: We'll get to that.

23 For the firing ranges, there's the -- the
24 only area where we're designing -- we're getting to the
25 thirty percent design stage is the California Highway

1 Patrol CHP range.

2 The other three, Lobos Creek target butt,
3 Lobos Creek protected range and machine gun butt, the RAP
4 is recommending no further action on those sites.

5 MS. FANELLI: No further action.

6 MR. BAZAUGANI: And the CHP range thirty
7 percent design, I'm not going to present that at this
8 meeting today because we're not there yet.

9 Hopefully in the next RAB meeting, the design
10 gets closer to be presented at, that design for you.

11 Also, there's the GA9, graded area 9 which
12 I'll present that here. It's a pretty simple design for
13 that area.

14 So I -- we went through this at the last
15 meeting. The figure shows graded area 9, which is to the
16 top left of the figure, and landfill 8 on the right-hand
17 side and then landfill 10 and the PSHH fill site on the
18 south side, and the remedial activities for these are
19 planned for next summer, and as I mentioned before, there's
20 a lot of activities scheduled for next summer.

21 There is the building 1808 improvements, the
22 utility upgrades.

23 MS. FANELLI: 1808.

24 MR. BAZAUGANI: 1808 is further to the
25 right. And then there's building -- Forest City is

1 developing building 1801 and they're doing some work on the
2 Belles Avenue area. They're building like eight
3 condominiums up there.

4 MS. FANELLI: Townhouses. Townhouses, not
5 condos.

6 MR. BAZAUGANI: And the Trust is remodeling
7 the other buildings that are in that area, as well.

8 So all of these are going to be happening
9 next summer. There's a lot of coordination that's taking
10 place right now between the Trust and Forest City and the
11 various contractors that are involved on this project.

12 There is a landscaping plan developed for the
13 landfill 10 and PHS area, and this is the landscaping plan
14 that's been developed right now, and the landscaping plan
15 focuses mostly on the parking lot area of landfill 10, and
16 if you compare this with the current drawing, the south
17 side of the parking lot, there's a vegetative cover over
18 the south side of the parking lot and trees are planted on
19 the south side of the parking lot.

20 And then there is the parking -- the parking
21 area for Forest City development and for people who want to
22 enjoy the nature trail and use the area.

23 There's actually a reduction of parking
24 spaces from what is currently in place right now, and I
25 think we discussed this last time, as well.

1 The parking is actually raised. It is a
2 higher elevation than it is today, and the slope is a much
3 smaller slope than it is today. It's less steep than it is
4 right now.

5 MS. BLUM: Are those zigzag lines in the
6 parking lot, is that shrubbery? I think you said they were
7 going to disguise the cars so it won't be so visible from
8 lower elevations.

9 MR. BAZAUGANI: Actually what's going to
10 disguise the cars are the trees over on the south side.
11 There is -- it's preliminary right now, but we think
12 there's going to be plants in those zigzag areas, and
13 that's also going to be the drainage for the parking.

14 So the drainwater for the parking is going to
15 run through those drainage swales. Best management
16 practices for stormwater management, because the plan here
17 is not to allow stormwater from the parking surface to get
18 to the landfill that's below. So we want to protect the
19 watershed that's in this area.

20 So all the stormwater is going to get
21 collected and then it's going to go to the 14th Avenue --

22 MS. FANELLI: It would be a change so the
23 stormwater goes here to pick up the City system.

24 MR. BAZAUGANI: Let me go back. There are
25 actually two artist's renderings of this -- of this

1 landscaping. One is from 14th Avenue -- I'm sorry. One is
2 from 15th Avenue right here, and the other one is from 16th
3 Avenue, which is further from the west. So I just kind of
4 wanted to show you those two renderings.

5 This is a view looking at the top deck from
6 15th Avenue.

7 MS. FANELLI: You can see the change in
8 elevation. The grade of the parking lot is raised.

9 FACILITATOR KERN: What is that? Is that a
10 car?

11 MR. BAZAUGANI: That's a car.

12 MS. FANELLI: A see-through car. These are
13 not remediation drawings. These are drawings that have
14 been shared in other public forums with the neighborhoods
15 for the designers associated with the PHS Hospital, and we
16 just pirated them to share with you because it helps put
17 some of our staff --

18 MS. BLUM: We're looking up at the parking
19 lot; right?

20 MS. FANELLI: Yes.

21 MS. BLUM: I don't see a single car. Is
22 that because the shrubbery is blocking it?

23 MR. BOGGS: At that end, there's no parking
24 at that very end. Up where the people are, they're on the
25 edge and behind them in the flat area is where the cars

1 would be.

2 MS. BLUM: So it's like that, kind of bowl.

3 Okay.

4 MR. BAZAUGANI: Like I said before, I think
5 what we're doing here is on the south side, we're
6 actually -- right there. We're actually bringing in fill
7 and raising that area about ten feet, ten to twelve feet.

8 We're raising that area, and then it's going
9 to be a flatter parking lot which won't be visible from the
10 street. That's the view your eye looking at from the 15th
11 --

12 MS. NEWTON: So the overlook area from the
13 outside will be higher from the parking area behind it?

14 MR. BAZAUGANI: No. It will be higher than
15 the current parking, but it won't be higher than the
16 parking that is there right now.

17 MS. NEWTON: The future.

18 MR. BAZAUGANI: No, it won't.

19 MS. MONAGHAN: Can I ask a question about
20 the plan? If I turn left and go toward the west, I would
21 be driving right by people's cars parked in that far upper
22 right-hand zigzag?

23 MR. BAZAUGANI: Yes.

24 MS. MONAGHAN: So the back of my car is on
25 the freeway, on the road. It's not separate from the road.

1 MR. BAZAUGANI: As you're going up 15th --

2 MS. MONAGHAN: No. I turn left.

3 MR. BOGGS: On Wedemeyer, are those parking
4 places right on Wedemeyer?

5 MR. BAZAUGANI: Those are parking spaces on
6 Wedemeyer.

7 MS. MONAGHAN: So they're right on the road?

8 MR. BAZAUGANI: Yes.

9 MS. MONAGHAN: If I was a pedestrian, if I
10 was on Wedemeyer Road, how would I go across to get to the
11 building?

12 MS. FANELLI: I'm not sure we have all
13 that -- the pathway.

14 MR. BAZAUGANI: It's not that far.

15 MS. FANELLI: It might be designed and we
16 just don't have that information with us.

17 MS. MONAGHAN: It looks like I have to walk
18 half the length of the parking lot to cross the street.

19 MS. FANELLI: There might be little trails.
20 I don't know. There's ways to get obviously from here to
21 there.

22 MS. BLUM: Does Wedemeyer become Battery
23 Caulfield?

24 MS. FANELLI: It turns into Battery
25 Caulfield up here. Wedemeyer will not change as far as we

1 know as far as this plan. It will stay in its current
2 location.

3 MS. MONAGHAN: But right now there's
4 protection from the cars to the road, so they don't mix?

5 MS. FANELLI: That will be different.

6 MS. MONAGHAN: That's bad.

7 FACILITATOR KERN: So you're possibly
8 suggesting some --

9 MS. MONAGHAN: Yes.

10 FACILITATOR KERN: -- sort of median or
11 curb?

12 MS. MONAGHAN: You should pull into the
13 parking lot and then go park. You shouldn't be able to
14 pull out of the parking lot into the road. That's very
15 dangerous.

16 FACILITATOR KERN: Comment.

17 MS. FANELLI: No. There's a whole separate
18 set of public meetings that have been held --

19 MS. MONAGHAN: Oh, sure.

20 MS. FANELLI: That have been held on this
21 design, so it's really not a remediation issue at all.

22 MS. MONAGHAN: This is the first time I've
23 seen this.

24 MS. FANELLI: We're showing you this so you
25 can put some of the remediation activity into context,

1 because we're trying to coordinate and not step on each
2 other's --

3 MR. BAZAUGANI: We're basically taking the
4 design from this other group that's doing the landscaping
5 and the top of the parking lot design.

6 So we know what the deck is going to do. The
7 irrigation group is involved in this. Okay. Are we
8 meeting the requirements of the -- of the remediation ac
9 plan and are we meeting the requirements to make the site
10 safe in the future?

11 MS. MONAGHAN: Right.

12 MR. BAZAUGANI: And these are the design
13 that the other group is working. So we're working with
14 them right now. So that's one view, and then this is the
15 view from 16th Avenue.

16 MS. FANELLI: So now you're across the creek
17 at the end of the residential and you're looking at the
18 slope. So this is the slope. Now this is -- I don't know
19 if this is made of coastal scrub that they've scribbled on
20 here or not, but this gives you an idea that this is going
21 to be the slope area where you were standing at the end of
22 the residential street on 16th. It will be across Lobos
23 Creek.

24 MS. BLUM: 16th never went into the
25 Presidio; is that correct?

1 MS. FANELLI: That's correct.

2 MR. BAZAUGANI: It dead-ends.

3 MS. BLUM: Okay.

4 MR. BAZAUGANI: So landfill 10. There's two
5 elements to landfill 10. One is the top deck cap elements
6 and then the slope elements.

7 So for the top deck, we have land use
8 controls. Part of the land use controls is to the asphalt
9 parking lot that we're putting on top, and then also the
10 other parts of it are landscaping that's going to be placed
11 there.

12 Then there's stormwater management, that we
13 talked before. The plan is to make sure that the
14 stormwater that is hitting the asphalt area, that's hitting
15 the parking area does not enter the landfill that's below.

16 So that stormwater is collected and sent to a
17 -- through a pipe to the 14th Avenue stormwater and that
18 gets treated by the City of San Francisco Storage Sewer
19 District.

20 MR. BERMAN: Mo, could I ask a question?

21 MR. BAZAUGANI: Sure.

22 MR. BERMAN: Occasionally in San
23 Francisco -- San Francisco has a sudden downpours of
24 several inches, occasionally several inches in an hour.

25 MR. BAZAUGANI: Right.

1 MR. BERMAN: Is there a number for the
2 maximum flow that can actually be removed from this parking
3 lot, and is it consistent with -- I mean, is it consistent
4 with a fifty-year flooding or a hundred-year flooding or is
5 it consistent with sort of an average?

6 MR. BAZAUGANI: Okay. What we have on this
7 site is we have -- what we have on this site is we have
8 these swales. They're actually best management practices,
9 and they are -- they're actually -- I wish I had a
10 cross-section here to show you.

11 We're going to put liners and put gravel and
12 put the storm drain line in these pipes.

13 And so if there is a sudden downpour, it's
14 going to give you sometime for the water to collect before
15 it's -- it moves down the pipe and gets collected.

16 So it allows for some accumulation of
17 rainwater so that the parking lot does not overflow.

18 MS. FANELLI: Do we know what the design
19 storm are right now?

20 MR. BAZAUGANI: San Francisco requirements is
21 for a two-year --

22 MS. FANELLI: 24-hour event.

23 MR. BAZAUGANI: -- 48-hour event or 24-hour
24 event or something like that.

25 We're looking at the requirements so that

1 we're meeting the San Francisco requirements so that
2 they're designed properly. Whether we take the design from
3 thirty percent to the sixty percent stage, those are the
4 things that we look at is how, what is the size of the
5 pipe, what is the cross-section, how big should our BMPs
6 be, should our swales be here on the site.

7 MR. BERMAN: Right.

8 MR. BAZAUGANI: And what is the City of San
9 Francisco requirements.

10 MS. FANELLI: The City has issued
11 requirements to -- to the Trust design folks, and we just
12 don't know what they are off the top of our head right
13 here. So there are standards that we have to meet.

14 MR. BERMAN: So do you know if these are set
15 so that you could meet like the El Nino condition of
16 '81/'82? I mean, I don't know if you lived here at that
17 time, but the streets going into the Presidio were
18 essentially rivers.

19 MR. BAZAUGANI: But keep in mind, when those
20 things happened, the purpose -- usually when you have --
21 I've worked with a lot of stormwater sites, and usually
22 when you have a parking lot that is -- that cars park on,
23 usually the first flush is where you get most of the
24 contaminants from the surface water to be contaminated.

25 The first flush takes all the contaminants

1 and washes them with them.

2 That's what they make you sample for
3 stormwater management. To various facilities. They
4 usually force you to sample the first flush because they
5 know that that's the most contaminated.

6 When you have El Nino events where it's
7 raining on and on and on, the first flush has come and
8 gone. If it God forbids overflows, the overflow that's
9 going off-site is most likely going to be, you know, much
10 cleaner water than has gone into the storm drain.

11 MR. BERMAN: And none of that would get into
12 the landfill?

13 MS. FANELLI: Well, there's some water
14 getting into the landfill now.

15 MR. BERMAN: Yeah.

16 MS. FANELLI: What we're trying to do with
17 our design is not change the current hydraulics, not add
18 any additional. That's why these storm drains are designed
19 the way that they are.

20 So some water gets in there now from the
21 planted areas and there still will be planted areas and
22 some will get in there. But we're not trying to add
23 excess, basically.

24 MR. BERMAN: I understand. But what I'm
25 pursuing is given that some material, some toxic materials

1 have been left in the landfills, what's the probability
2 that an excessive rain event would get water into those
3 landfills which would eventually leach out somewhere else
4 in the Presidio and allow the escape of undesirable
5 elements into the Presidio -- not as a planned event?

6 MS. FANELLI: Right.

7 MR. BERMAN: But El Ninos do happen.

8 MS. FANELLI: That's part of what the
9 groundwater monitoring is for. It's been there for a long
10 time. Not all the wells have been in for a long time. The
11 majority -- several of them were put in at the end of 2007,
12 I think in December, but some have been in there before
13 that, and there's also been some analysis done on certain
14 elements -- certain stuff that we had.

15 The asphalt stuff that we had in the landfill
16 where we looked at its reaction with rainwater leaching and
17 the opportunity for leaching is low. It doesn't react
18 because the rainwater's not particularly reactive. It's a
19 neutral pH.

20 And so Sam, there could be some effects, but
21 that's why we're including monitoring for the long-term,
22 and based on the studies that we've done, we think the
23 potential is pretty low.

24 MR. BERMAN: So in other words, you're
25 confident -- if Jan says, "Why didn't you remove that stuff

1 when eighteen inches of rain fell in San Francisco in 24
2 hours and flooded out the landfill," you're convinced that
3 an event like that would not cause any -- any toxic leak,
4 say, into the rest of the Presidio?

5 MS. FANELLI: The data we have indicate that
6 it would not cause toxic leaks that were of an acute manner
7 or condition.

8 MS. BLUM: I've been sitting in on the Doyle
9 Drive meetings and they talk about stormwater runoff there,
10 and I think the rule of thumb that I understand is they
11 capture about eighty percent of all the toxic materials in
12 the first flush.

13 MR. BERMAN: Yes. I'm not worried about
14 that.

15 MS. BLUM: And they're not projecting for a
16 hundred-year storm. They're using the data that they have
17 and those are the standards.

18 MR. BERMAN: Right. I wasn't worried about
19 the initial toxic --

20 MS. BLUM: But there is some spillover.

21 MR. BERMAN: The stuff that leaks into the
22 landfill and mixes with the landfill and then eventually
23 gets out, and when you have a once-in-a-hundred-year
24 storm --

25 MR. BOGGS: We actually shared the same

1 concern, because those bioswales typically would have just
2 joined, and when we raised that concern, they actually have
3 modified their design so that underneath those drainage
4 swales, they actually have a synthetic liner that has a
5 slotted pipe in it so that that water does get collected
6 and diverted to the storm system.

7 If it overloads the system, those bioswales
8 with plants and stuff will absorb the rainwater. That's
9 part of their purpose.

10 The soil actually filters out a lot of
11 runoff-type materials, and since they modified the design
12 to put the liner and the collection pipe underneath those
13 swales, it really should reduce the potential for water to
14 get into the landfill.

15 MR. BERMAN: I didn't know about that. Is
16 that a recent change?

17 MS. FANELLI: I think it's been in there.
18 We just didn't describe it in the swales. Overall because
19 we're putting some additional fill in there, I think that
20 this cover is actually a little bit thicker and new asphalt
21 and new bioswales will actually be probably less
22 infiltration -- there will be less infiltration when it's
23 recovered.

24 MR. BERMAN: Thank you.

25 MS. PASSERO: I don't want to take us in a

1 completely different direction. I work on global warming
2 issues and so I'm a little sensitive to that. Some of the
3 predictions are sort of the increase intensity of storms
4 and frequency in some cases, and so I'm just kind of
5 curious if any of this comes into -- gets built into
6 discussions, either directly or indirectly in the planning.

7 MR. BOGGS: Good question. I know there's
8 generally like they said design standards for storms
9 for -- and each city's going to have their own. It's going
10 to be based on historical data.

11 I -- I'm not aware where they're projecting
12 into the future as much. If anything, they'll just take in
13 the data and things start to get longer and they'll adjust
14 their numbers in the future.

15 That's just my guess, but at this point,
16 there's no design parameter in the county specs that would
17 say you have to plan for some future.

18 Because even with global warming, it's hard
19 to say because some cases are going to be more storm
20 inundated and some places are going to become dryer.

21 So what's going to actually happen here?
22 Hard to predict.

23 MS. PASSERO: I was at a conference going on
24 right now. The energy person is aware of it.

25 FACILITATOR KERN: Well, perhaps one comment

1 we can offer you just right now in terms of design is can
2 these drainage swales be somewhat overdesigned? I mean,
3 can they be designed anticipating perhaps more water than
4 you might normally? It's just a consideration.

5 MR. BOGGS: They also could consider having
6 a drop inlet if those swales become inundated, because
7 sometimes they don't perc all that fast, but as they get
8 older, if it's not going to perc fast enough for a storm,
9 you have an overflow.

10 Generally all the flow should flow into your
11 drainage swales, but if they get inundated, you'll have to
12 drop them in a storm.

13 MS. FANELLI: To keep water out of the
14 waste, the landfill is raised and pitched so that if it
15 does become inundated, it's not draining down over the
16 slope and into the grassy area and into the waste.

17 It's draining on the paved surfaces hopefully
18 out through curbs into the City system which, you know,
19 under that kind of event is going to be surcharged
20 probably, anyway, but we'll be taking infiltration away
21 from the waste material itself.

22 I want to just -- I know there's lots of
23 questions, but I'd like to time -- I'm trying to track
24 time.

25 MR. BAZAUGANI: So that's the image, and you

1 can actually see the raise in elevation. These are the
2 elevations, and you can see on the south side.

3 MS. FANELLI: Right here.

4 MR. BAZAUGANI: You can see right there.
5 You can see the area that we're adding to the green --
6 we're planting green trees and what not in that area.

7 So that's where the soil's going to come and
8 that's where it's going to get raised. The rest of the
9 landfill is going to be at a five percent slope.

10 On the slope, there's also the -- the remedy
11 calls for land use controls and seismic grading of the
12 slope, and we'll get into a discussion of seismic grading
13 and so we'll go -- I tell you how we determined that the
14 remedy is safe based on the seismic point of view.

15 And where is the soil going to top for the
16 top deck? A lot of it is going to become based on
17 consolidating the material.

18 When we grade the slopes, we need to make it
19 seismically safe, and that's going to be sitting on the
20 grade.

21 MS. FANELLI: It will be covered, then.

22 MR. BAZAUGANI: Then there's going to be
23 erosion control measures. Erosion control features on the
24 slope and there's going to be erosion control measures on
25 the -- on the trails on the top to make sure that

1 stormwater does not cause any erosion to the plant.

2 Part of the erosion control measures are
3 going to be removing the invasive species and then planting
4 low -- the coastal scrub and, you know -- and planting
5 lessingia in the areas of the slope.

6 Mostly coastal scrub is going to get planted
7 on the steeper slopes of the landfill.

8 MS. FANELLI: So we're actually going to
9 construct a vegetative cover, and the coastal scrub offers
10 some opportunities. One, it's native habitat fits for a
11 national park, but it also provides greater stability than
12 the current vegetation because its roots structure goes
13 deeper and it will actually protect against sloughing of
14 the waste material on the slope.

15 MS. KRAMER: Are you going to add any soil
16 cover?

17 MS. FANELLI: Not necessarily everywhere.
18 There's provisions to add soil as necessary. If you have
19 bald areas or areas that we're going to have some
20 challenges getting the vegetative cover. So there are
21 provisions for it.

22 Where that goes at this point is not clear,
23 because we haven't exposed this slope.

24 MS. KRAMER: So that has nothing to do --
25 the cover has nothing to do with sort of controlling the

1 contamination. It's only to grow plants.

2 MS. FANELLI: That's right. It's -- well,
3 it's to grow plants. The cover is to protect against
4 access because of the nature of coastal scrub and how it
5 grows, as well, but there would be land use controls, and
6 we have looked at the material, and although it doesn't
7 meet residential standards, it meets recreational
8 standards, I believe.

9 MR. BAZAUGANI: Yeah.

10 MS. FANELLI: And so there will be land use
11 controls so it will protect people at that point, as well.

12 MR. WHILDEN: We were at the landfill 8.
13 There's a marked difference in terms of what would grow on
14 top of fill and what wouldn't.

15 How do you know that plants are going to do
16 and the plants at landfill 10 are going to grow?

17 MS. FANELLI: We did some studies and we've
18 been working with our natural resource people. Coastal
19 scrub grows based on rain size distribution. It's not a
20 nutrient need vegetation. It doesn't need fertilizer.

21 We have some data from analysis, and some
22 data from observation.

23 We're not presuming that it would grow
24 fabulously right off the bat. We've made provisions in a
25 couple year time frame with assumptions about having to go

1 back and replant.

2 We've made provisions for bringing in
3 material or soil, if you will, where we may need it because
4 the debris in the landfill is either too large or too
5 chunky or just doesn't have the right matrix to allow
6 plants to grow. So we have made some provisions for that.

7 In addition, design includes short-term
8 irrigation, one to two years of irrigation, two years of
9 irrigation to make sure that the stuff gets established.

10 I'm not a plant ecologist, so we are working,
11 though, with the Park Service and the Trust natural
12 resources people on that design and specifications, and we
13 actually have some information on the type of plants and
14 the number of them that are going to go out there.

15 MR. BOGGS: There may be -- one of our
16 comments from my agency is that areas where we have large
17 exposures from the grading, they will have to surface
18 sample to see, because our landfills aren't homogeneous,
19 like what you test here is not what's going to be forty
20 feet away.

21 So there may be an option they're going to
22 consider. If we find hot spots on the surface, this is
23 where people plant, et cetera, and how are they going to
24 deal with them.

25 They can either cover them with topsoil and

1 do some excavation in that particular area, but that is one
2 of our comments is assuring that newly exposed surfaces.

3 We know from our current testing that surface
4 soils are not very contaminated. They're very minorly
5 contaminated. It's just assuring that newly exposed slopes
6 don't have some high levels of contamination.

7 MR. BAZAUGANI: Okay.

8 MS. FANELLI: We're going to move on.

9 MR. BAZAUGANI: So actually going back,
10 the -- the red lines show the -- based on the thirty
11 percent design shows how the slope is going to get graded,
12 and I want to talk a little bit about how we got to that
13 kind of a slope conflagration on the slopes, and we did it
14 through doing -- looking at the -- we did a slope stability
15 analysis for landfill 10, for the slopes of landfill 10.

16 There are two elements of slope stability
17 analysis. It gets a little bit technical, and I'm going to
18 try and explain it, and I think Doug is a better expert in
19 here than I am, so Doug, wherever you see me not explaining
20 or fall off, just help me out.

21 There's a couple elements to it. One is a
22 pseudostatic analysis and the other is seismic analysis.
23 We're just talking about evaluating a factor of safety,
24 which is based on resistance or a load.

25 We want a factor of safety to be greater than

1 1.5, and that's based on the established rules and
2 regulations in California.

3 The pseudostatic analysis that's done, we
4 want to look at a -- calculate a maximum allowable
5 displacement for the waste.

6 When there is a -- when there's an event
7 happening, and that's -- you want to calculate a
8 displacement to make sure the displacement in worst case
9 scenario is less than twelve inches.

10 So when you're -- when you have an
11 earthquake, you want to make sure that the displacements of
12 your waste is less than twelve inches.

13 MS. FANELLI: Actually, I think that the
14 regulations or the requirements for earthen embankments
15 like the landfill is 36 inches, but we actually have used a
16 twelve inch displacement, which is a more conservative
17 number.

18 MR. BAZAUGANI: So earthquake is the -- is
19 the elements that actually causes or results in
20 destabilization of the site, and the force that is
21 generated in an earthquake is a function of weight and
22 acceleration, so I'll talk to you how that works.

23 If -- if this is the surface of the land that
24 the fill is sitting on, and if you can see this is the
25 slope of the landfill, there's a weight element that

1 depends on the weight of the fill that's sitting on top of
2 the surface and there's the acceleration, the horizontal
3 acceleration, as this is the sliding surface.

4 If there's an earthquake, this horizontal
5 acceleration is going to determine how much sloughing or
6 how much acceleration you're going to have in your
7 landfill.

8 And so the equation above says that pseudo-
9 static force equals weight times horizontal acceleration.
10 This is the factor that we want to find out for our site.

11 So the acceleration is actually related to
12 magnitude of the earthquake, distance of the fault line
13 from the site and fault and soil type.

14 There are different types of faults, and so
15 what type of fault you have and how deep it is and what
16 kind of soil type you have, is it rocky, is it soil, is it
17 sandy, what type it is near the fault line and around the
18 fault line.

19 I think there was an earthquake last Saturday
20 in Alamo. A lot of people in Alamo did not feel it, but
21 people that were living a little bit further out of Alamo
22 felt it pretty --

23 FACILITATOR KERN: I felt it here. 4.0.

24 MR. BAZAUGANI: So we looked at the -- for
25 the earthquake with a magnitude of the earthquake; we

1 looked at the historic Bay Area earthquakes, and the
2 highest magnitude earthquake in Bay Area was 1906
3 earthquake, which was a 7.9 magnitude.

4 The San Andreas Fault is about five and a
5 half miles or nine kilometers away from the site, and so
6 based on those factors, acceleration of .51 G or 51 percent
7 of gravity was calculated from the site.

8 What did we do with these? We take these
9 numbers and take these analysis and we cut the slope and we
10 simulate based on approved computer models and based
11 on -- we do some analysis on that and we say what happens
12 if you cut the slope to a certain angle, and then we look
13 at the weight and we look at the horizontal acceleration
14 based on these values, and we calculate the factor of
15 safety and we calculated the displacement, and we
16 determined based on going back and forth, looking at
17 various areas of the slope, we calculated that based on the
18 slopes that we have, if we cut the slopes back to 1.75 for
19 example horizontal to one vertical, we should be able to
20 meet the factor of safety of one and a half or better and
21 our displacement is going to be nine inches.

22 And if you remember at the beginning, I was
23 talking about the -- you know, the design criteria for our
24 displacement was actually twelve inches.

25 So we're going to be much better than the

1 twelve inches and we're going to exceed the factor of
2 safety for the site.

3 So based on that, we determined that the
4 slopes that we have, we're going to create the slopes to
5 what's going to be adequate to meet the seismic criteria
6 for the site. It's going to be a safe site based on the
7 current information.

8 MR. BERMAN: What's the -- when you
9 calculate the acceleration factor, how accurate is that? I
10 mean, it seems to me it's going to be a whole stack of
11 assumptions in getting the horizontal --

12 MR. BAZAUGANI: I'll let Doug answer that,
13 because we went through a --

14 MS. FANELLI: Doug took -- did a wonderful
15 sensitivity analysis that will actually be reflected in our
16 documents.

17 FACILITATOR KERN: Well, I did look at that
18 very question, and there are probably four or five
19 different parameters that you can vary up and down on this
20 whole analysis, and this nine inches, which the actual
21 number is 9.47, so if you round that up, it's 9.5, and if
22 you round that up, it's actually closer to ten in terms of
23 rounding, but we'll let that go. It's a minor detail.

24 But there's a variety of things, parameters
25 that you could vary, and if you vary the G that was

1 calculated from .51, which is where it is up to, say, just
2 .54, you'll get it right to twelve inches. That will
3 produce a twelve inch displacement.

4 If you use .7 in that equation, you would
5 actually get up to about 28 inches of displacement.

6 So I satisfied myself with a rather
7 exhaustive analysis of every single parameter that it was
8 still under the 36 inches.

9 Now, what we're really talking about is all
10 of us as thoughtful risk managers, if we have a 7.9
11 earthquake, what is really going to happen? We're going to
12 have a lot of destruction, a lot of mayhem.

13 What we're really drilling to protect against
14 is will the entire landfill 10 completely fail and slide
15 into Lobos Creek, blocking off one of our emergency water
16 supplies and contaminating it?

17 I think what this analysis says, even if you
18 move out a lot of the parameters to less -- to all the
19 extremes, it still seems to be under three feet of
20 displacement, and for something like the landfill, to me
21 that's a pretty good result.

22 If we only lost three feet off the face of
23 that and all the plants fell down and everything, that
24 still would be a fair amount of material.

25 You could imagine that piling up towards

1 Lobos Creek, but I don't imagine it flowing all the way
2 down to 16th Avenue where really the water starts.

3 So I'm pretty comfortable that -- I mean, and
4 the way these equations are developed is by analysis of
5 hundreds and hundreds of earthquakes, and an equation is
6 done to match all those earthquakes and all different
7 magnitudes and different distances and it's huge, to use
8 the scientific term empirical analysis.

9 Some poor geophysicist out there just
10 spending hours trying to figure out what would happen, and
11 it's really a rather bunch of an art to predict what the
12 displacement would be.

13 Some earthquakes, some -- and so they've used
14 the actual 1906 earthquake and the actual epicenter of it.
15 It still produces -- if you vary all the parameters -- less
16 than 36 inches, and I can provide you with the spreadsheet
17 that shows all the equations and everything.

18 So if anybody would like that, please let me
19 know.

20 MR. BERMAN: I think it's comforting that
21 you can argue that an earthquake of that magnitude and a
22 thirty percent stretch in the acceleration still would not
23 mean a catastrophic event.

24 I mean, if that's the conclusion, I think
25 it's comforting that it's probably okay.

1 MR. BOGGS: Our geotechnical engineer also
2 reviewed the analysis, also reviewed Doug's data. Doug
3 didn't make it to the meeting. They said, "Man oh man,
4 who's this Doug guy. From the public. This is great. It
5 should be part of the analysis." He was just raving about
6 the work that Doug had done.

7 And so Doug opened up his books and got his
8 pencil out and did some good work, and his conclusion was
9 he wouldn't say that there would be a failure.

10 He said saying a failure would be wrong.
11 There could be a little sloughing. A little bit of sand, a
12 little bit of dirt off the edge could slough, but with this
13 analysis, he doesn't think there'd ever be a failure.

14 MR. BERMAN: That's great, you know. I
15 think it's -- it's kudos to the people who are working
16 through this and taking a pretty extreme event and
17 stretched the parameters and still find everything is okay.
18 I think it's very reassuring.

19 FACILITATOR KERN: I also want to commend
20 the Trust. After I did that analysis, they provided me
21 with an hour or two of their, you know, doctor, Ph.D.
22 consultant and we had a long lengthy exchange about all the
23 details, all the different papers that I downloaded that
24 they referred to, and we hashed it out to the Nth detail,
25 and they actually revised their numbers based on some of my

1 comments, which I appreciated.

2 MR. BAZAUGANI: I told you everything about
3 the revegetation plan for landfill 10, but actually the
4 plants are underway. So there have been -- the plants have
5 been ordered and they're cultivating the plants.

6 MS. FANELLI: Propagating. They're growing
7 up in the nursery right now. Lew Stringer, who also helps
8 the Trust out -- they're almost like a joint group -- has
9 spec'd out the different plants and is propagating them.

10 MR. BAZAUGANI: So this map shows a
11 conceptual -- conceptual design that we're -- different
12 plants are going to get -- get planted.

13 There's mostly coastal scrubs in this area.
14 Lessingia is going to be here, where it depends on what the
15 final design says about where we're going for dune sand,
16 because as part of the final design, we're going to bring
17 dune sand and put it over the slopes where it can take dune
18 sand.

19 Some areas are too steep. We can't put dune
20 sand, and some areas are less steep.

21 There's going to be about twenty species of
22 willow there on the south side.

23 MS. FANELLI: And these slides are not
24 exact. The vegetation plan will be part of the design
25 documents as well as the specification, and it shows

1 riparian plants going pretty high up the slope.

2 Just take it as a general area right now, but
3 those are probably lower on the toe with more coastal scrub
4 on the steeper parts. But those details are being worked
5 out.

6 MR. BAZAUGANI: So landfill 8.

7 FACILITATOR KERN: Let me just make one
8 other thing that's sort of outstanding in my mind.

9 Bob, you've consistently raised an issue
10 around the chromium in the groundwater.

11 Is that being addressed to your satisfaction?
12 Because we're getting closer to trying to make this
13 decision, so I just want to do a check.

14 MR. BOGGS: I hope so. I reiterated that at
15 the last meeting in written comments -- well, I have a
16 meeting with our attorney tomorrow who's reviewed the ARARs
17 for the feasibility study.

18 She has a couple of issues that we need to
19 discuss, and so at that point, they'll get them in writing,
20 but yeah, there is a request for further analysis along
21 that line.

22 And part of that in particular is John's
23 agency here is making a more stringent chromium number for
24 what's acceptable for drinking water, and so that
25 potentially plays into -- I don't think it's going to be

1 propagated as a rule or as a standard within the time of
2 the work that we're doing, but it's definitely something to
3 consider.

4 So because of the lowering standard and the
5 concerns with Lobos Creek, we are asking for a little
6 additional work as far as groundwater and chromium.

7 FACILITATOR KERN: And Brian, there's been
8 discussion about this allocation of -- for soil on things,
9 and do you have any issues around that that we need to hear
10 about?

11 MR. ULLENSVANG: The Trust has agreed to
12 provide an additional allocation for soil on the cover --
13 the slope of the landfill, and as that gets put into the
14 design -- right now it isn't really worked out in the
15 detailed design level yet, but once that gets worked out,
16 then that should resolve many of our concerns.

17 FACILITATOR KERN: All right. So we're --
18 yes.

19 MS. MONAGHAN: Could I ask a question about
20 the schedule? You were saying something about next summer.

21 MS. FANELLI: Actually, next spring.

22 MS. MONAGHAN: Next --

23 MS. FANELLI: Next spring is when we hope to
24 get into construction.

25 MS. MONAGHAN: We're going to cut trees

1 before summer.

2 MS. FANELLI: Probably so. We don't have
3 that schedule. Probably at this next RAB meeting coming up
4 in October. There will be some trees removed, and then we
5 might actually -- I call it a haircut, but we're going to
6 try to look at what we can do with some of the current
7 shrubs so we don't get nesting birds, but we don't destroy
8 them during the winter rains. We want to keep that root
9 structure in place.

10 MS. MONAGHAN: Our project will be completed
11 before Forest City starts?

12 MS. FANELLI: Not necessarily. There will
13 be some overlapping work.

14 MS. MONAGHAN: Okay.

15 MR. BAZAUGANI: Forest --

16 MS. FANELLI: I think they're starting with
17 interior building work this month.

18 MR. BAZAUGANI: They've started.

19 MS. FANELLI: You may not notice it, but
20 they're doing their internal abatement activities.

21 MR. BAZAUGANI: Landfill 8. Remedy for
22 landfill 8. We're doing some additional characterization
23 on the east lobe. There is an area where we've discovered
24 there's a lot of lessingia.

25 There's a good lessingia habitat on the east

1 lobe, and we have done some characterization of the surface
2 soils, and the results show that surface soils
3 are -- are pretty -- are not contaminated to the levels
4 where they may require cleanup.

5 In the area where we discovered the seed
6 back, we discovered lessingia, and now we're doing
7 additional characterization of the deeper soils to see
8 whether in that area we could actually leave the area
9 intact and not touch it to allow for the lessingia habitat
10 to grow and to stay there.

11 So that -- and the results aren't back.
12 We're going to get the results back in the next couple of
13 weeks and we'll know what the final remedy on the east lobe
14 is going to look at.

15 MS. FANELLI: At a minimum what we've done
16 is we know that we can collect the seed back that's in the
17 upper few inches of soil. We can't actually save all the
18 area.

19 MR. BAZAUGANI: Then there are trees within
20 the perimeter of landfill 8 that have to be removed, and
21 then the vegetation similar to landfill 10, there's
22 vegetation there on top of landfill 8 that has to be
23 removed.

24 There's an area in the parking lot where
25 there's pavement. That pavement has to be removed, and

1 then three to five feet of dune sand is going to get placed
2 on top of landfill 8.

3 Site drainage controls are going to get put
4 in place and then there's going to be restoration of the
5 soil for -- by the Trust to make sure that the
6 vegetation -- the natural habitat is back on the site, and
7 there's going to be land use restrictions.

8 The three to five feet of dune sand is going
9 to act as a protective layer, as well for the soil in the
10 area.

11 And we talked about San Francisco lessingia.
12 This is the picture of the lessingia that we're trying to
13 protect, and if you want to see what it looks like in a
14 bigger area, these plants are pretty nice, and if you look
15 at them as a grouping, it's just nice.

16 So --

17 MS. KRAMER: So I have a question.

18 MR. BAZAUGANI: Sure.

19 MS. KRAMER: I know there was discussion
20 about landfill 10 and not doing a clean closure on that,
21 and that was pretty much talked about before, but it seemed
22 to me that landfill 8, there was still the discussion that
23 the fill on top of the material would be removed and then
24 perhaps go down or not.

25 But how did that change and when was that

1 decision made?

2 MS. FANELLI: That alternative was evaluated
3 in the feasibility study, but the -- going back to the
4 early Army documents, the remedy that was enumerated I
5 believe when landfill 8 was to cover in place, was not ever
6 identified as a clean closure, although that alternative
7 was vetted in the feasibility study.

8 FACILITATOR KERN: It's certainly been
9 something the RAB has always --

10 MS. FANELLI: I understand that.

11 FACILITATOR KERN: -- historically --

12 MS. FANELLI: I'm not saying that it hasn't
13 been of interest to folks. I understand that, but it
14 wasn't --

15 MS. KRAMER: So that's just a foregone
16 conclusion that that isn't even an issue or topic of
17 discussion anymore, that that alternative is not even being
18 considered?

19 MS. FANELLI: It was considered and it was
20 evaluated in the feasibility study, and then looking at the
21 -- the nine criteria that we look at, protection of human
22 health and the environment and the different alternatives
23 and looking at cost, the preferred remedy is to cap in
24 place.

25 FACILITATOR KERN: I suppose there's still

1 the ninth criteria, which is community acceptance.

2 MS. FANELLI: Correct.

3 FACILITATOR KERN: So we're -- we're still
4 in the process of working through that. There's still some
5 time to hopefully influence the Trust towards clean
6 closure, and so we need to have that discussion here.

7 We probably don't have enough time at this
8 meeting to get into it in detail, but I appreciate that
9 it's being raised, and we have focused a lot of time on
10 landfill 10.

11 I think it would be worth having a discussion
12 here at some point.

13 MS. FANELLI: And I know that we haven't
14 sent out for public review the feasibility study yet. I
15 mean, there's been copies that Doug has looked at, but I
16 don't see a problem with getting you copies of at least
17 that basis or sharing with the RAB that element of it to
18 facilitate the discussion.

19 It's not final yet. We might be tweaking it,
20 but it's certainly all right to take a look at it.

21 MR. BOGGS: The remedy actually isn't
22 decided for the remedial action plan which is through the
23 public process, public hearing.

24 You'll have an opportunity and invited to
25 comment on it. So at that point if you decide you want the

1 landfill dug up for any reason, please make that request
2 and provide as much compelling information as possible and
3 who knows what might come of it, but at this point,
4 feasibility study's their analysis all the alternatives and
5 they're proposing what their preferred alternative is.

6 MS. FANELLI: That's correct. I misspoke
7 when I said it was decided. It's the preferred alternative
8 in the F/S.

9 MS. MONAGHAN: I thought -- we were on the
10 tour today, so it's fresh in my mind, but where the
11 landfill is is naked soil. Nothing grows on it, and the
12 lessingia four inches away is growing fine and when it gets
13 to the landfill, it stops.

14 So I think that we want to remove it. It's
15 not doing anybody any good there. It's a hazard.

16 MR. BOGGS: The lessingia at landfill 8?

17 MS. MONAGHAN: Yeah.

18 MR. BOGGS: It's growing on the east slope.

19 MR. BAZAUGANI: No, no.

20 MS. MONAGHAN: There's a fence right there.
21 The landfill's on one side and it's not on the other. Is
22 that correct?

23 MS. FANELLI: No.

24 MS. MONAGHAN: It's on the landfill. Okay.

25 MR. BAZAUGANI: If you look on the map, that

1 fence goes right along here, and what I talked
2 about -- what the Trust is doing right now, they've sampled
3 the soil in this -- the surface in this area and we found
4 out that there's no contamination in the surface soils in
5 this area.

6 MS. MONAGHAN: We know that five feet away,
7 it is contaminated because nothing grows there.

8 MR. BAZAUGANI: We know here there are some
9 samples that have elevated levels, right. The plan for
10 this area is to bring in three to five feet of sand --

11 MS. MONAGHAN: I understand.

12 MR. BAZAUGANI: -- from across the street
13 and put it there.

14 MS. MONAGHAN: There's still contamination
15 underneath.

16 MR. BAZAUGANI: Lessingia and the native
17 coastal habitat needs about three to five feet of sand to
18 grow. So once you provide that -- that area for that soil
19 for it, the soil for the lessingia or other coastal scrub
20 material -- vegetation, then they will use that and they
21 will, you know -- the seeds will be planted there and that
22 area will grow.

23 It will be a good habitat for the lessingia
24 and other coastal vegetation to grow in that habitat.

25 MS. FANELLI: And that's what we've proposed

1 in the F/S. But clearly you need to read and look at the
2 F/S and go on.

3 MS. KRAMER: It seems like that slope of
4 landfill 10, okay. Who really is going to run up and down
5 there, so plant coastal scrub along there, but when we were
6 out there today, there was someone who was walking his dog
7 and potentially there could be children and people walking
8 through there, and it seems like over time, it would be a
9 much better decision to remove the fill.

10 MR. BAZAUGANI: There's going to be
11 about -- like if you look at the map, you see the red --
12 the red lines. That shows the amount of fill that's going
13 to get placed.

14 There's going to be two mounds. This mound's
15 going to be five foot higher than what it is today, and
16 this mound is going to be a foot higher.

17 So that area is going to bring about a feet
18 of sand, and five feet of sand is this much sand that's
19 going to get placed on top of the current ground surface..

20 MS. KRAMER: Right. But it's still
21 contaminated.

22 MS. FANELLI: I don't want to put poor Mo on
23 the spot. We're not prepared to -- we can really have a
24 discussion on the feasibility study and on the
25 alternatives, but Mo was asked to design a cover and that's

1 what he's presented at this point.

2 So I -- we can look at the cover design or we
3 could come back and talk about the feasibility later.

4 MR. BERMAN: I think the heart of this is
5 people feel that it's pancake makeup covering the warts.

6 MS. BLUM: Maybe you could invite Lew
7 Stringer to the committee meeting, because he certainly has
8 spent a lot of time on the Presidio looking at the plants
9 and maybe he can be part of that conversation with NPS.

10 I personally have a lot of confidence in the
11 plant people. I think they work closely with the mediation
12 and have good chance of success on this, but it would
13 probably be worthwhile to hear from the people who spent a
14 lot of time on the ground with the plant pallet that may or
15 may not work and why.

16 MS. FANELLI: And this plant pallet actually
17 is being specified by Mark Frey, who I think you've met and
18 has come to some of the meetings.

19 We can certainly have them come and talk
20 about the restoration element.

21 MS. BLUM: I think it's important to
22 understand the dynamics of how the lessingia grows and what
23 will work and what doesn't work.

24 MS. KRAMER: But again, I also think it's
25 beyond just a plant community in this case. It's other

1 annuals, people. It is an area that is -- could be
2 attractive to walk through and is accessible and fairly
3 flat.

4 MS. FANELLI: There are some trails that are
5 planned throughout this area. So the remedy is integrated
6 with the tails programs, the habitat restoration element,
7 as well.

8 FACILITATOR KERN: Why don't we -- because
9 we're running out of some time this evening.

10 MS. FANELLI: Right.

11 FACILITATOR KERN: I don't want to rush
12 this. I think it needs to have its turn. We can start the
13 discussion at the next committee meeting and then perhaps
14 even bring it back at the next full RAB meeting.

15 So we'll put that down as an agenda item.

16 MR. BERMAN: I think as part of that, if you
17 look at the cost difference between the excavation choice
18 and the land use control, it was a pretty severe cost
19 penalty involved in that, and you can't help but feel that
20 that was one of the primary decision mechanisms for going
21 with the land use controls over the -- over the clean
22 closure, which was a -- landfill 8 was pretty big with the
23 new boundaries.

24 I don't remember the number, but I think it
25 was -- the difference was a couple million dollars.

1 MS. FANELLI: More than that. More than
2 that.

3 MS. KRAMER: And that was part of how much
4 is being saved.

5 MR. BERMAN: That's reflected -- that's what
6 I said in the beginning. That's really the reason why
7 there's so much money being saved is that the alternatives
8 were to go from clean closure, which is the pure -- the
9 purest position to one which is practical and still safe.

10 MS. FANELLI: I can bring back the
11 estimates. I am -- can confirm that the cost estimate that
12 we have was not for clean closure.

13 It certainly has been contemplated and it was
14 evaluated in the F/S and we need to continue the
15 conversation, but I can bring you that basis for it.

16 FACILITATOR KERN: Yeah, and I've found that
17 Eileen is perfectly willing to continue these conversations
18 and we should do that and really, you know, discuss the
19 advantages and disadvantages in a reasonable amount of
20 time, which we don't really have.

21 At least we've opened it up tonight. Allow
22 Mo to finish.

23 MR. BAZAUGANI: Okay. On graded area 9,
24 there's some additional trenching required to confirm the
25 limits of the cover material that was in graded area 9.

1 Some -- some trenching needs to be done on the south
2 side -- on the south side of this area so that we can
3 confirm it. A little bit of trenching on the west side and
4 north side.

5 After that, there will remain. There's an
6 access road that goes through here. We have to save that.
7 Three feet of dune sand is going to get placed over this.
8 It's going to be restored to meet the vegetator habitat.

9 And this is -- the area where we have the --
10 all the sand from the de Young Museum excavation sitting
11 there.

12 So we've done the math. There's enough sand
13 left there. Once we get done with landfill 8 and landfill
14 10 to provide enough cover for this area.

15 FACILITATOR KERN: Do you intend to -- is
16 that -- the thirty percent drawing, would there be more of
17 a dune like character that kind of looks like --

18 MR. BAZAUGANI: Yeah. It would be.

19 MS. FANELLI: Part of the problem here if
20 you look at that topography, it's not the current
21 topography. We do have some work to do so it's not
22 accurate. Just to make it accurate.

23 MR. BAZAUGANI: So in terms of the next
24 steps for RAP4, the feasibility study for PHSB -- for the
25 PHSB landfills. The draft is under review by stakeholders.

1 Then there's CEQA documentation, and again
2 the draft has been submitted.

3 MS. FANELLI: Oh, no. It hasn't. It's the
4 same as the RAP. It's nearly ready. I think we have a
5 meeting scheduled with the CEQA person from DTSC next week.

6 MR. BOGGS: Yeah.

7 MS. FANELLI: Next week. So in terms of our
8 overall schedule, we're may be a couple of weeks behind,
9 but we still target getting through the process if not in
10 December, by January so we can be in construction next fall
11 -- next spring. Excuse me.

12 MR. BAZAUGANI: So then there's public
13 review of November 2008 and then construction documents
14 should be ready by -- toward the end of January 2009.

15 MS. CHEEVER: Just to clarify, is the public
16 review both the feasibility study and the RAP or --

17 MS. FANELLI: They're associated documents.
18 The RAP would be issue, but the feasibility study is
19 available and will be a reference document, supporting
20 document. So it will be made available to you.

21 I think actually I sent some folks some
22 preliminary drafts already. I e-mailed to you.

23 MS. CHEEVER: Yeah.

24 MS. FANELLI: So to facilitate the
25 discussion, I don't see a problem getting you copies of the

1 whole thing or sections of it.

2 As a matter of fact, it's posted on our
3 working web page. Doug, you have it. You could download
4 it and send it or make it available. It's fairly large
5 because of all the figures.

6 So that's the only publicly tough part is
7 e-mailing it is not an easy thing to do. But getting it on
8 a disk is very easy to do from a computer if you have a
9 writable CD.

10 MR. YOUNGKIN: I think if we actually
11 brought CDs to the RAB meeting.

12 MS. FANELLI: We'll do that when we get it
13 ready. But I'm offering preliminary if you want to see
14 that. We'll get it ready for CD.

15 Okay. This is for RAP3 if you're interested
16 in where we're at. I can give it to you in about three
17 seconds if you want or if you want to table it for another
18 time. There's only a handful of slides.

19 FACILITATOR KERN: Maybe we talked
20 principally about two sites today, the transfer station and
21 --

22 MR. ULLENSVANG: Nike.

23 FACILITATOR KERN: Nike.

24 MR. BOGGS: Building 669.

25 MS. FANELLI: I don't think I have -- I

1 don't know if I have photos of those other sites coming up.

2 Well, this is 669, which is a large, large
3 site. That's a spray of water, and that's the site that is
4 currently -- the budget is -- we're over budget because the
5 volume of material and because of its classification, and
6 it's primarily because of ash associated with the
7 incinerator. It's very thick. It's very deep, and it
8 covers basically that whole sort of area, if you will,
9 almost in front of the incinerator by Crissy Field Road and
10 then the parking lot for the archive building, and that's
11 what we're continuing to work on.

12 It's just photographs of it, more photographs
13 of them excavating it.

14 You can see how deep we've cut by the road
15 there, and there is evidence that a little sliver of it
16 goes under Crissy Field Road and we're trying to decide if
17 that's something we're going to handle this year or button
18 it up and do more assessment for how to get at it and not
19 chase it this year, but do some more planning.

20 MR. BERMAN: Are you going after the Army as
21 an undisclosed --

22 MS. FANELLI: The problem with the
23 incinerator site is that it is not an unknown site. It is
24 an enumerated site. The Army indicated that there might be
25 ash in there, though the work was never disclosed anywhere

1 near the extent of material that we found.

2 It's very hard battle given our agreement and
3 the documents that support the Army agreement to talk to
4 the Army and say, "Hey, this is not right."

5 We're working on it with them still,
6 nonetheless, but I don't want to be overly optimistic.

7 It was an enumerated site. Their documents
8 mentioned the potential for ash. Their documents also
9 didn't find any ash or any major problems, and it's a tough
10 one in terms of dealing with the Army.

11 MR. BERMAN: And what about Zurich?

12 MS. FANELLI: This is an enumerated site.
13 So it's under our RSL policy at this point.

14 FACILITATOR KERN: I just need to note that
15 we're at 9:07. So we should kind of proceed through these.

16 MS. FANELLI: Here's the Nike swale. These
17 are just work that we're doing. We're almost done with
18 Nike. Transfer station. We have to go back to Nike and do
19 some overex transferization. We're going to go back and do
20 some overex.

21 One of the interesting things that we talked
22 about today is the really the next photograph that is fill
23 was really just pushed up against the trunk of these trees
24 and apparently it didn't do the trees any significant
25 damage, but this is part of the difficulty there is

1 excavating that material out away from the trees, not using
2 large equipment so that we don't cut there unwittingly and
3 then damage the tree so they die and fall.

4 That's the last photo I believe and we're
5 done.

6 FACILITATOR KERN: To try to wrap up the
7 meeting, there is an important item out there is the Summit
8 meeting is September 23rd which is the same day as our
9 committee meeting.

10 I have provided Eileen a -- just a proposed
11 agenda. She's responded back to me with her version. It
12 covers effectively tonight's agenda, RAP4, the progress on
13 landfill 8 and 10.

14 Those very issues for Bob, hex, chrome and
15 groundwater. For Brian, the soil cover, the seismic
16 analysis. Those will be talked about at the Summit meeting
17 so that senior management can understand at that kind of
18 detail level as risk managers what they're up against.

19 There would probably be a RAP3 construction
20 update and there would be an update on the financial
21 reporting.

22 So you really got the preview of the Summit
23 meeting and we would continue the same kind of discussion
24 at that meeting, so I also would intend and had intended to
25 ask -- Julian is here now. And he was at our meeting on

1 the cemetery.

2 I guess what I would like to ask of you
3 tonight is I've identified two organizations that may have
4 interest in the -- in that remedy and landfill 8. One's a
5 Union of Merchant Mariners. There's another organization
6 like that that I've been put in contact, and I'd like to
7 ask your permission to contact those folks, to follow up
8 with them with a letter to begin that conversation, to let
9 them know what is happening, and so I'm seeking your --
10 your approval for that as your representative.

11 MR. CALLANAN: So moved.

12 MR. BOGGS: You have my blessing.

13 FACILITATOR KERN: Well, I will carry on
14 with that and then report on the progress of that effort at
15 the Summit meeting, and then the committee meeting that
16 same night.

17 MR. BERMAN: Can you ask them for a -- for a
18 donation for a memorial plaque?

19 FACILITATOR KERN: Well, you know that may
20 actually ultimately be part of the connection with these
21 groups is they will then be connected with the Presidio in
22 a better way, which is part of our role.

23 It's actually our primary role to contact
24 these outside groups and they may decide to get more
25 involved in some way.

1 To quickly go on with the meeting, then, and
2 finish it off, next committee meeting, we have landfill 8.
3 We'll start that -- you know, we'll continue that
4 discussion. We'll have documents and we'll hash it all out
5 and then bring that result back to our October RAB meeting.

6 Are there any other action items that people
7 identified for tonight?

8 MR. BERMAN: I think a summary of the Summit
9 meeting --

10 FACILITATOR KERN: Correct.

11 MR. BERMAN: -- would be nice, and since it
12 will be so fresh in your memory, since it would have
13 occurred earlier in the day, then maybe we'll gossip at the
14 committee meeting before the full report at the next RAB
15 meeting.

16 FACILITATOR KERN: Yes. We will provide all
17 gossip and juiciness from the Summit meeting.

18 MR. YOUNGKIN: DTSC.

19 FACILITATOR KERN: My apologize. I skipped
20 over item number 6.

21 MR. BOGGS: For the same of time, nothing
22 from me.

23 FACILITATOR KERN: DTSC or Water?

24 MS. FARRES: No.

25 FACILITATOR KERN: Julia.

1 MS. CHEEVER: I think if I'm correct, at the
2 October 14th RAB meeting is unfortunately the same date as
3 the Presidio board of directors.

4 FACILITATOR KERN: That is indeed a
5 calamity.

6 MS. CHEEVER: I don't know if there's
7 anything that can be done about that. Start our meeting at
8 6:30 or have the meeting on a different date.

9 FACILITATOR KERN: We've never been able to
10 have it on a different date.

11 MR. ULLENSVANG: I might also point out that
12 the November meeting is on a federal holiday, if that makes
13 any difference so we now have a conflict two months in a
14 row.

15 FACILITATOR KERN: Wow.

16 MS. FANELLI: What holiday do we get?

17 MR. ULLENSVANG: Veteran's Day.

18 MS. FANELLI: The Trust must get them.

19 MR. ULLENSVANG: Federal holiday.

20 FACILITATOR KERN: I'm going to defer them.
21 So our October meeting and our November meeting dates.

22 I think we have to assume we're going to have
23 it on the same date at least for the moment given the
24 lateness of the hour, and then maybe we'll set up some
25 of -- some have us will go to the other meeting or we'll do

1 something. We'll make some arrangement.

2 Thank you for bringing that up, Julie.

3 Anything else for the good of the order?

4 I want to thank everyone for staying over for
5 these fifteen minutes. Appreciate that very much, and for
6 coming out tonight and your comments to the agencies, for
7 your coming out and spending your time with us tonight.

8 Without objection, meeting adjourned.

9 (The meeting adjourned at 9:14 PM).

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PRESIDIO RESTORATION ADVISORY BOARD MEETING

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, OCTOBER 14, 2008

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator

Mark Youngkin

Eileen Fanelli

Mohammad Bazaugani

Brian Ullensvang

Bob Boggs

Peter O'Hara

Jan Blum

Julie Cheever

Julian Hultgren

Sam Berman

John Budroe

Edward Callanan

John Budroe

John Chester

Kevin Whilden

Also present:

Eric Blind

Terri Thomas

---o0o---

BE IT REMEMBERED that, pursuant to Notice of the Meeting, and on October 14, 2008, at the Officer's Club, Building 50, Presidio of San Francisco, California, before me, MARK I. BRICKMAN, CSR No. 5527, State of California, there commenced a RAB meeting under the provisions of the Presidio Trust.

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AGENDA

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1 FACILITATOR KERN: I'd like to welcome
2 everyone tonight. This is the regular Presidio Restoration
3 Advisory Board meeting for the month of October 2008. I'd
4 like to welcome the Presidio Trust, the National Park
5 Service, our regulators and the Presidio RAB community
6 members. Welcome tonight.

7 We have a few new people around the table, so
8 maybe it would be good for us just to go around the room
9 quickly and say a little something about yourself so that
10 folks from the Trust can know where you're from, and you'll
11 hear what they do.

12 I'm Doug Kern. I'm the facilitator for the
13 group and I live over in the Richmond District here.

14 MR. O'HARA: I'm Peter O'Hara. I'm a
15 community member. I live in Pacific Heights.

16 MR. BLIND: Eric Blind, archeologist here at
17 the Presidio. I live in Cole valley.

18 MS. FANELLI: Who's going to not live in the
19 City first?

20 I'm Eileen Fanelli with the Presidio Trust
21 and I actually live in Forest Hill Extension.

22 Here's the first --

23 MR. BAZAUGANI: I used to. My named is
24 Mohammad Bazaugani. I'm a consultant for the Trust and I
25 used to live in the Richmond District for about ten years,

1 but now I don't anymore.

2 MS. THOMAS: I'm Terri Thomas. I'm director
3 for conservation, stewardship and science for the Presidio
4 Trust and I recently moved to the Presidio.

5 MR. BUDROE: John Budroe, community member,
6 East Bay.

7 MR. BOGGS: Bob Boggs, State Department of
8 Toxics, Berkeley.

9 MR. CALLANAN: Ed Callanan, been on -- as a
10 community member for about ten years and I live in the
11 Forest Hill Extension area.

12 MS. FANELLI: All right. What street?
13 Idora Avenue.

14 MR. CALLANAN: Idora.

15 MS. FANELLI: Which block of Idora?

16 MR. CALLANAN: 162.

17 MS. FANELLI: I'm 51 Idora. We're a block
18 away.

19 MR. CALLANAN: Well, we meet neighbors
20 everywhere.

21 MS. FANELLI: That's right.

22 MR. YOUNGKIN: Mark Youngkin, community
23 co-chair. I live in Presidio Heights.

24 MR. HULTGREN: Julian Hultgren. I'm a
25 community member. I live in the Richmond.

1 MR. BERMAN: Sam Berman, community member
2 for ten years. I live in Cow Hollow right next to the
3 Presidio.

4 MS. BLUM: Jan Blum, member since 2002. I
5 live in Cow Hollow.

6 MR. ULLENSVANG: My name is Brian Ullensvang
7 and I work here at Golden Gate and I live in the East Bay.

8 MR. WHILDEN: And Kevin Whilden. I'm a
9 member of the Presidio and been a member for not just six
10 months.

11 FACILITATOR KERN: Thanks very much.

12 Does everyone have an agenda? There will be
13 a little bit of a change in the agenda. We'll talk about
14 that as we go.

15 This was going to be more of a workshop
16 format. We got some new information today that we'll talk
17 about and maybe better done in a little bit of a
18 presentation format. If we can, we'll do some workshop if
19 it works out.

20 Are there any other changes or additions?
21 All right. Seeing none. Are there any announcements, old
22 business?

23 Committee business. Last -- two weeks ago --
24 I guess it's three weeks ago now -- we had our committee
25 meeting and we met without the regulators and without the

1 Trust and without the Park Service that evening for the
2 community to get together and talk about landfill 8, which
3 we did, and we're going to continue that discussion
4 tonight.

5 Several of the folks actually that were at
6 that meeting, though, are absent tonight. Jan Monaghan I
7 know is on vacation. Michelle Passero is also away, and
8 then Toni Kramer I think is ill tonight. She called me,
9 had a really awful sounding cold on her message. We send
10 her our best for a speedy recovery, and that's the state of
11 that Planning Committee meeting specifically for landfill
12 8, and that's what we're going to be talking about tonight.

13 As you know, we've been reviewing for the
14 last several months landfill 8 and 10. There's a draft
15 feasibility study. It was just received. We received
16 these new documents to be inserted in there, replaces quite
17 a bit of the data, so there have been some changes in that
18 discussion over the last several months, and that in part
19 is why the workshop format may not exactly work tonight
20 because we need to review some of this new data that's come
21 out.

22 This is a result -- the new remedies are a
23 result of the five-year review which happened in 2002/2003
24 when this was published. There's a lot of data in there
25 which said there needed to be some new remedies at landfill

1 8 and 10.

2 Also out for internal review now among -- I
3 have a copy and Brian and Bob and the Trust -- is this
4 Preliminary Review Draft, Remedial Action Plan for landfill
5 8 and 10, Public Health Service Hospital fill site and four
6 small arms firing ranges. So that's also out.

7 And I think I should also say that it's very
8 important tonight what we're discussing because the
9 schedule is such that I believe the Trust -- and correct me
10 if I'm wrong, Eileen, on this -- may want to start their
11 comment period on this Remedial Action Plan on November
12 17th.

13 MS. FANELLI: Correct.

14 FACILITATOR KERN: That comment period could
15 go five weeks or it could be extended until just after the
16 new year.

17 So what that means for us is we have tonight
18 and -- to really ask a lot of questions, to hear the
19 discussion about these sites to consider our views on this
20 subject and be prepared by our next meeting to come with
21 some sort of a draft letter or resolution based on our
22 feelings about this Remedial Action Plan for 8 and 10.

23 So that's sort of the general setting for
24 tonight. There are three basic areas that we would like to
25 be able to review, and the Trust will talk a little bit

1 about these -- some of it tonight, some of their new data.

2 Those three areas have to do with the
3 contamination data, the human remains data. We have Eric
4 here to talk a little bit about that, and the financial
5 data and the cost information. So those three major areas
6 are on the table tonight.

7 Did you want to start in on some of that or
8 do you want me to continue or --

9 MS. FANELLI: I'm happy to --

10 MR. BERMAN: A quick question. Who's the
11 author of the RAP, the Draft RAP?

12 FACILITATOR KERN: Presidio Trust.

13 MS. FANELLI: Presidio Trust.

14 MR. BERMAN: Okay.

15 MS. FANELLI: Before we get into some of the
16 data, I just want to recap sort of the history of RAP4.

17 If you remember when I first met you all back
18 in February of this year and March, we had kick- started
19 and were trying to fast-track RAP4 to move things ahead,
20 and we went through a period of time where we met with
21 stakeholders, which included Doug and the agencies and
22 Brian, and we looked hard at the information that we had on
23 landfill 8, plus the other -- landfill 8, PHSB fill.

24 We did field investigation activities, and we
25 worked up to the May Summit meeting, and at that May Summit

1 meeting, we discussed the results of the hard work that we
2 had all done, and we had gone through some preliminary
3 analysis of alternatives for the different landfills based
4 on the data that we had collected and the potentially human
5 health and ecological risks and chemicals of concern that
6 the sites posed, and -- and later that day, we came -- it
7 was actually -- we went through for each of the sites,
8 landfill 10, PHSH fill, landfill 8, some of those various
9 alternatives that we had discussed as a stakeholder group
10 that we were going to pursue then later as a feasibility
11 study.

12 And for landfill 8 in particular, we looked
13 at basically leaving things as they are and putting some
14 land use controls in place, covering the material,
15 consolidating it with a cover, partial removals of the
16 landfill material and covers and we looked at complete
17 removal, and where we landed was a preference at that point
18 to pursue through the F/S and the RAP of covering that
19 landfill, and that was based in part on the human health
20 and ecological risks that the material posed as well as the
21 costs.

22 So my understanding is that this workshop now
23 that we're having today is to really get at and explore in
24 greater details so that we have a better understanding and
25 an opportunity to comment if there is disagreement on -- on

1 why that alternative of covering is preferable to the
2 Presidio Trust at this point in time and then in closure.

3 FACILITATOR KERN: I guess I would only add
4 that a large part of what we were targeting for that May
5 Summit meeting was to make sure we were on track for the
6 Public Health Service Hospital development, and the
7 stakeholder group put in many hours towards that effort,
8 and it's just my personal opinion that landfill 8 did not
9 receive the same amount of time during that process.

10 MS. FANELLI: I would agree with you, Doug.
11 We focused very hard on PHSH development, because Forest
12 Cities, if you haven't noticed them, but they're doing
13 abatement on the wings that are coming down as we speak.

14 So they've already started some of their
15 work, but Doug, you're absolutely right. I agree with you
16 on that. But it was part of the RAP, and it has been
17 carried along.

18 Whether it's been discussed in detail or not,
19 we've sort of carried it along as we've gone.

20 One of the complicating issues obviously in
21 this analysis and discussion in the last several months has
22 been the presence of the merchant mariner cemetery beneath
23 the site, and so Eric will hopefully be able to describe
24 and talk tonight about how we deal with that issue.

25 And recently we've also discovered a very

1 healthy lessingia population at landfill 8, over a thousand
2 plants, and that may not be as complicated an issue or an
3 issue of as much concern as the removal, because we could
4 protect that population, not do a full removal, but do a
5 partial removal.

6 But hopefully Terri who's here can speak to
7 that if there's any questions regarding that population and
8 how the Trust handles and looks hard at those types of
9 resources when we have them.

10 MR. WHILDEN: So a question on that. Where
11 was the lessingia found exactly? I was out there doing
12 restoration the other day.

13 MS. FANELLI: We have a map. What's
14 actually on this screen is -- actually, I don't know if I
15 have it up here, but it's --

16 MR. BAZAUGANI: It's actually up.

17 MS. FANELLI: See the little triangle up
18 there on the bug, the end sticking out there? There it is.

19 MR. WHILDEN: Okay.

20 MS. FANELLI: There you go. It's about .18.

21 MR. WHILDEN: Okay.

22 MR. BOGGS: They look like weeds.

23 MR. WHILDEN: I know what lessingia look
24 like. They're much larger plants and I thought lessingia
25 couldn't grow --

1 FACILITATOR KERN: I gave Kevin a map. If
2 he can pass it around, you'll see a little triangular area
3 on the east side of the landfill.

4 MS. FANELLI: It's shown up here.

5 MR. WHILDEN: Should we dig into this now or
6 we can save it for later?

7 MS. FANELLI: We can go through this however
8 you like. I was going to have to start with the human
9 remains issue, but --

10 FACILITATOR KERN: I would say just -- if
11 you have a question, fire away.

12 MR. WHILDEN: I think it's quick.

13 MS. FANELLI: Please.

14 MR. WHILDEN: This little triangle, how does
15 that relate to the roped off area or fenced off area or --

16 MS. FANELLI: That is the same spot.

17 MR. WHILDEN: So the seeds from that fenced
18 area have blown over into --

19 MS. FANELLI: Actually, that fenced off area
20 is fencing off part of the landfill.

21 MR. WHILDEN: Oh, it is.

22 MR. FANELLI: If I can stand up here and
23 point to this screen. This is our approximate landfill
24 boundary, and so this portion of that lessingia area, that
25 1.1 acre is within the landfill.

1 MR. WHILDEN: So it wasn't just discovered.
2 We've known about it.

3 MS. FANELLI: No, no, we've known about it.
4 And what we've done is we've sampled the upper two and a
5 half foot of soil, sand in that area and -- to determine if
6 it had any chemicals of concern that would make it such
7 that we would have to destroy those plants because we
8 really would have to cover that soil.

9 We were looking at it in a phased approach.
10 We were looking at it to see was the top soil contaminated.

11 If it was not and stuff directly underneath
12 it was, we could at least re-cover the seed bank. If it
13 was contaminated, then we would not have to recover the
14 seed bank.

15 What we found is there's a significant
16 section of sand that serves as a cover such that we don't
17 have to actually re-cover that area. We can protect that
18 population and have our cover conform to that area. So
19 that it does not have to be destroyed.

20 MR. WHILDEN: That's on the edge of the
21 landfill.

22 How deep is the landfill at that point?

23 MS. FANELLI: At that point, I don't know
24 that I have a --

25 MR. BAZAUGANI: It's about five to seven

1 feet.

2 MS. FANELLI: Five to seven feet. It
3 varies, but it does feather as you get to --

4 FACILITATOR KERN: Five feet, yeah.

5 MS. FANELLI: Five feet.

6 MR. WHILDEN: Underneath that, the top
7 layer, how contaminated is it?

8 MR. BAZAUGANI: I think she just answered
9 that.

10 MS. FANELLI: The upper two feet have no
11 contaminants of concern over --

12 MR. WHILDEN: Underneath that?

13 MS. FANELLI: Oh, underneath that, I don't
14 know what data we have actually there underneath that area.

15 MR. WHILDEN: All right.

16 MS. FANELLI: We do have several other
17 samples throughout the landfill of the waste fill itself.

18 MR. WHILDEN: And let me just --
19 brainstorming here. If you decided to remove landfill 8,
20 if that was an option that was brought back, how would that
21 affect the lessingia?

22 MS. FANELLI: In that area, if you wanted to
23 remove everything, you would remove the lessingia.

24 MR. WHILDEN: Right.

25 FACILITATOR KERN: That has been discussed,

1 though, Kevin. It's a really good point. There have been
2 ideas around removing the top six inches of that area and
3 saving those -- that -- it's called the seed bank and then
4 that could be redistributed after the area was cleaned up.

5 MR. WHILDEN: Right.

6 MS. FANELLI: Right. We would do that,
7 definitely. There is actually a smaller area to the south
8 of lessingia; not quite as many plants that it is
9 contaminated; not at the very surface, but about a foot
10 below, and there we are going to recover seed and cover the
11 area and then use the seed as part of the restoration.

12 MR. WHILDEN: Right.

13 MS. FANELLI: That's the current plan.
14 That's what's laid out in the RAP.

15 MR. WHILDEN: Right.

16 FACILITATOR KERN: Have we ever seen that
17 data, by the way, inside that triangle?

18 MS. FANELLI: Yes, you have. So the
19 data -- we presented at some at our stakeholder meetings,
20 and I'm not sure if you were there at -- for all of them,
21 it was sent to DTSC in a letter.

22 MR. ULLENSVANG: I think I only have part of
23 the data that I got. It didn't have the full data.

24 MS. FANELLI: I would have to check.

25 FACILITATOR KERN: Check.

1 MS. FANELLI: The full data is actually in
2 the revised RAP.

3 FACILITATOR KERN: It's in here somewhere?

4 MS. FANELLI: Yes, it is.

5 In terms of schedule, before we jump into the
6 cultural resources issues, as well, what the stakeholder
7 group has decided -- and we've been presenting since that
8 May meeting as a sort of fast-track to get the F/S written
9 and the RAP written, and we've done some internal copies,
10 and I know we've talked about the F/S in the last couple of
11 previous meetings and I have sent copies of some of it to
12 some RAB members, and Doug, of course, has a copy of it,
13 and what we've done today is after the first preliminary
14 round comments from DTSC and from Doug, we've updated
15 sections of it, and the pieces in particular that we've
16 updated we can give you some insight tonight, is the costs,
17 and some of the volume information that relates to the
18 costs for the landfill material itself, and that's
19 primarily what we handed out today.

20 FACILITATOR KERN: Mm-hmm.

21 MS. FANELLI: But -- let's see. The next
22 slide is not really clear, this one. But really -- I'll
23 just let Eric talk. There's been four investigation
24 episodes in which there have been human remains found in
25 three of them, and Eric was actually involved in the

1 investigations in 2002.

2 So Eric, maybe you can just kind of give a
3 background on what --

4 MR. BLIND: Sure. I guess we'll start at
5 the beginning before I was around.

6 My previous supervisor when she was at the
7 Army Corps of Engineers, Sandy Osborne, was the one who
8 encouraged the Army that there was a possibility that the
9 merchant marine cemetery was still there, and in 1979, she
10 got a back hoe and put in a couple test pits out there, and
11 I believe that's the 1990 one.

12 This was one they were purposely trying to
13 see if there was, in fact, a cemetery beneath the landfill.

14 They came up with remains of two burials,
15 fairly deep beneath the surface, and this is kind of what
16 began, I guess, the last eighteen years' worth of
17 intermittent research into this merchant marine cemetery.

18 Army Corps of Engineers issued a study by a
19 woman named Mary Maneri to try and figure out who these
20 people were and how many burials could we be talking about.

21

22 She estimated in the area of about 585
23 burials in a report that I believe came out in 1993.

24 Since then, there was another excavation done
25 in '94. Again, I was not around for that one, but they did

1 also incur -- encountered human burial at that level, much
2 shallower at that point.

3 Then 2002, while I was working with Chris
4 Nelson, we had URS supply a human osseologist, bone
5 specialist, human bone specialist do some work out there
6 while they were doing test pits, because we knew there
7 would be burials encountered.

8 At that point, the scope of work was to
9 strictly avoid encountering any of the burials. We knew
10 they were there. There was no reason to disturb them.

11 As the work proceeded, they were hit, anyway.
12 Even though the human osseologist and the geologist were
13 very aware, with the back hoe operator, there were a couple
14 other people around. We ripped into the bottom of a human
15 skeleton.

16 As I went back and talked to some of the
17 people that worked on the 1990 and '94 work with URS, their
18 stories were quite similar, of -- I think this was the '94
19 one.

20 They were trying not to hit any burials
21 because there was no purpose in hitting them. They were
22 just trying to figure out how to characterize the landfill
23 itself, and the anecdote was the back hoe operator got sand
24 in his eyes, turned back and there was human bones coming
25 out of the back hoe.

1 MR. BERMAN: Eric, would you say
2 approximately how deep that was?

3 MR. BLIND: They've all been found at
4 various depths. The first one, 1990, fifteen feet below
5 ground surface. The second one, I believe -- this one was
6 kind of a little bit foggy, I believe. This says it's five
7 feet below ground surface. That one's at test pit 3.
8 There's a map up here.

9 MS. FANELLI: There's a map here. So where
10 the burials are, if you can see the color dots up here.

11 MR. BLIND: '94, test pit 3, this one here.
12 That's all we have. About five feet. Eleven -- I believe
13 that's the 1991.

14 MS. FANELLI: No. '91's the bottom. At the
15 bottom.

16 MR. BLIND: Test pit one is 1990. 2002 is
17 right here. So we have five feet. This one at sixteen and
18 I believe we were at nine and a half feet for this one. So
19 it's kind of an undulating horizon we're trying to hit down
20 there.

21 Also in that 2002 excavation, as we walked
22 into the site, coming into the trail along the fence line
23 here, I was the one that saw a human mandible, a whole jaw
24 bone sitting alongside the trail in a gopher hole.

25 All this at the time was turned over to the

1 coroner which was turned over to the park police.

2 MR. CHESTER: One question here. In your
3 excavation, were you differentiating the soil strata? Was
4 it defined as the landfill or below the landfill or was
5 that -- in terms of when the bones were found at five feet,
6 was that just a shallow area of landfill or was that a
7 deeper area?

8 MR. BLIND: I think the reports and the logs
9 read a little bit more clear than actual field experience
10 felt, at least. Where there's a little bit of reverse
11 engineering that we hit the burial, so we know where the
12 fill, and the levels get kind of reverse engineered from
13 there.

14 As you're proceeding down from the surface
15 into the unknown, that differentiation between fill and the
16 landfill, that was deposited there in the '50s, and the
17 fill that is, you know, redeposited dune sand on top of the
18 burials which were buried isn't as -- nearly as clear as I
19 think, in my opinion, the logs make them seem.

20 Does that kind of address your question?

21 MR. CHESTER: So it sounds like you're not
22 clear -- it's not clear in the data you looked at whether
23 the bones were found in landfill or dune sand or --

24 MR. BLIND: Yeah. I mean, they're all
25 written down as below the landfill, but as I said, I think

1 that's a bit of reverse engineering of -- we hit bones, so
2 that must be the end of the landfill. That's just my
3 interpretation, though.

4 MS. FANELLI: When we talk about volumes,
5 there appears to be debris fill above fill fill above
6 native vegetation, so there is some -- it's not clear when
7 we talk about volumes how much there really is.

8 Fill fill is considered landfill or fill
9 above the original native ground elevation or not.

10 MR. BERMAN: Just a question. The human
11 remains were all bones presumably and were they dated?

12 MR. BLIND: The cemetery itself -- the
13 hospital -- the merchant marine hospital starts around
14 1875.

15 MR. BERMAN: Right. But that's records, but
16 the actual bones that were found, were they -- was a date
17 put on the bones? Did they estimate what the age of the
18 bones were?

19 MR. BLIND: No. For the majority of the
20 fact, the historical context, what we know about the dates
21 of the interment actually have a better accuracy than any
22 sort of direct scientific dating on bone material or carbon
23 than we find associated with them.

24 The range of standard deviation of carbon is
25 greater than the entire date range for interment in the

1 cemetery. So we know they all went in more or less between
2 1879 and 1912 was what the records show.

3 One -- a couple other things. There was
4 a -- we initiated a study by a woman named Jen McCann who
5 did a very detailed study of the people she thinks could be
6 in that cemetery.

7 It's a very good report, and she estimates in
8 the mid-1800s the amount of people out there. So 800 some
9 burials are likely to be found out there.

10 So we've got kind of a range where we think
11 there could be between 600 and 800 people out there
12 underneath the fill material.

13 MR. BERMAN: And in that report, was there
14 an attempt to associate with that 800 -- the population of
15 800 whether they were really merchant marines or were they
16 something else? Has that actually been ascertained?

17 MR. BLIND: Yeah. The vast majority are all
18 merchant marines and representing a huge range. She found
19 43 original multiple groups that are now states in the
20 western US, and -- but interestingly enough, there's quite
21 a few noted burials of surgeons' children that died young
22 that were buried out back.

23 The surgeons that worked in the hospital and
24 other family members of wardens and people that were
25 associated with the hospital actually had some of their

1 loved ones buried out there. There's a little bit of mix,
2 but vast majority are merchant marines from around the
3 globe.

4 One of the things that's always -- that I'm
5 always kind of tried to bring up in this situation is the
6 likelihood that we're going to find bones outside the
7 cemetery.

8 The mandible that I found, the human jaw bone
9 was the first one that kind of got me thinking about this,
10 and looking back on some of the experiences that we got
11 excavating out there where we found burials, and two things
12 kind of come to mind.

13 One is I think there's a lot of rodent
14 activity that's going on. Rodents have a tendency to take
15 things from one area of the site and move it around. We
16 find that unfortunately at archeology sites that we wish
17 the gophers weren't moving stuff around because it's very
18 confusing.

19 But the second thing is, how all this 30,000
20 yards of fill got there. From the excavations I've seen,
21 there's very, very large areas around there and building
22 debris.

23 My estimation is it didn't get there lightly
24 or gently. Probably didn't surmise that they didn't have
25 to do it in a gentle or equivalent way. The equipment that

1 they used would be massive land moving equipment, and with
2 the loose dune sand out there on top of those burials, I
3 would not be surprised at all -- I'd put my money on the
4 fact that they were going to disturb some of the burials in
5 the process of putting landfill out there.

6 Those two things have kind of keyed in my
7 head. Even while not trying to go through the cemetery,
8 you're still going to wind up with a lot of human remains
9 in the fill.

10 And for that, and with the population that we
11 have to deal with, merchant marines around the world, the
12 reason they're there is they don't have a next of kin.
13 They didn't have someone to gather their remains.

14 We're in kind of an unusual situation,
15 because most times -- when I excavate a cemetery or you're
16 working in a development situation in and around a
17 cemetery, most times it's a Native American cemetery and
18 you work with the Native American community to try to
19 figure out what is the best, most ethical way to treat
20 these remains.

21 In this situation, we don't have such a
22 group. So it's been my position that without such a group,
23 we have to kind of default to the most respectful method of
24 treatment, because we don't have anyone that says anything
25 different, that we could be less respectful.

1 So with that, you know, we're led to believe
2 if we go forward with this, we really have to put forth
3 quite some effort to make sure we're not moving pieces of
4 people around the site or trucking them off to a landfill
5 somewhere else that's not on the Presidio.

6 So anyway, those are just --

7 MR. WHILDEN: On that point, I just have a
8 question.

9 MR. BLIND: Yeah.

10 MR. WHILDEN: Has anyone heard concerns from
11 outside stakeholders as to what would happen to the
12 remains? Has anyone heard expressions if they were
13 disturbed?

14 MR. BLIND: That's the curious situation
15 we're in is that we really don't have a stakeholder
16 group -- I should take that back.

17 I can't remember the exact name of the exact,
18 but the union of merchant seamen which is still active and
19 engaged in the San Francisco community was involved in the
20 study that was commission -- that we did with Jen McCann,
21 and they were quite interested in the site, but not in kind
22 of a -- they were descendent kind of ways, but they could
23 identify with this population of merchant seamen from the
24 1900s and early -- late 1800s. MR. WHILDEN: Did they
25 have any concern whether the landfill was disturbed -- not

1 the landfill, but the cemetery?

2 MR. BLIND: At the time I don't think it
3 really came up. This was a couple years ago. I'd have to
4 ask Jen to be honest with you, but my recollection is we
5 didn't really get into it with them. It's more can we see
6 your archives kind of encounter.

7 Yeah.

8 MR. BOGGS: If we're dealing with merchant
9 marines, that their parts have now been dislocated by
10 rodents, does -- when you say we need to do the most
11 ethical thing, does that mean collecting those bones and
12 reintering them in place?

13 The fact that that's been done, that these
14 graves have been by -- when they imported all this soil,
15 they disturbed these graves, is there something that needs
16 to be done because of the Army's actions that disturbed
17 these graves?

18 MR. BLIND: That's a good question. I've
19 been chastised about this many times by people in the Army.
20 It wasn't the Army that did it.

21 MR. BOGGS: The Public --

22 MR. BLIND: The Public Health Service
23 Hospital. I just say that as a caveat to my friends in the
24 Army.

25 But -- sorry. I mean, we've tried to figure

1 out a way that we can start like a community stewardship
2 program out there where at least they do some surveys
3 through gopher holes and figure out if we come up with
4 anything and come up with some kind of communal interment
5 where we could inter the bones at the site.

6 MR. O'HARA: Can you tell me where this
7 rubble and fill has come from?

8 MR. BLIND: The best estimation I have is
9 when we they paired the front of the hospital for the
10 additional two wings in the early '50s, that seems to be
11 the time where the cemetery disappears from the maps.

12 The last map I've seen was the 1949 map where
13 it's clearly demarked, actually got two giant skeletons as
14 the icon for the cemetery. The skeletons were about an
15 acre and a half tall.

16 The next map we see, the cemetery's no longer
17 there and the parking lot that gets put there in '69 has
18 arrived.

19 The big action that happens around that site
20 during that interval is the addition of those massive wings
21 coming off the front of the hospital, big blue wings.

22 MR. O'HARA: The reason I'm asking the
23 question is if you're doing construction, how would you
24 wind up with massive pieces of concrete in the landfill?

25 I mean, I'm not sure I understand what the

1 tie is. Massive pieces of concrete in the landfill would
2 seem to denote destruction as opposed to construction.
3 This seems to be a dichotomy there of where the materials
4 would come from.

5 MR. BLIND: Well, to create those wings, they
6 did have closed off six story walls. That were then
7 pinched through to create long corridors to create the
8 existing building. They punched out the walls to create a
9 new addition.

10 There was a good deal of hospital that had to
11 come down in order to create it.

12 It's a good question. In that construction
13 episode, there was a whole bunch of ripping off the front
14 face of the hospital in order to put two new wings on.

15 MR. O'HARA: Okay. That was concrete
16 construction, the wings of the hospital -- the older wings
17 of the hospital?

18 MR. BLIND: Portions thereof, yeah.

19 MS. FANELLI: There's a mixture --

20 MR. BLIND: Just my estimation.

21 MR. O'HARA: I understand, but there's a lot
22 riding on that in terms of what is to be done with this
23 landfill, and there seems to be a lot more questions, and
24 just the short amount of discussion we've had so far
25 tonight is how deep is this landfill? Where does the fill

1 stop and the -- and the natural terrain start? What's in
2 there? How it was deposited, what the volume is.

3 We seem to be making -- or you seem to be
4 headed in the direction of making certain decisions,
5 questionable decisions based on a lot of question marks,
6 and my sense is have you really done your homework to make
7 these decisions?

8 MR. BLIND: Which homework are you talking
9 about?

10 MS. FANELLI: The decision of -- to cover
11 the landfill is not predicated on the human remains. It's
12 a factor that's considered, but it's not predicated on
13 that.

14 MR. O'HARA: Why?

15 MS. FANELLI: The decision to -- the main
16 driver for the remediation program is protection of human
17 health and the environment and doing it at a reasonable
18 cost.

19 So we do have cost data that we can present,
20 as with the -- and we believe that the cover over the
21 landfill provides human health protection and ecological
22 protection at costs that are reasonable and defensible
23 given the level of contaminants, which are not particularly
24 high, and we can talk about that, as well in the waste
25 material itself.

1 The fact that the human remains are present,
2 much like lessingia, there are factors that we considered,
3 as well in that certainly removing the waste with the
4 potential for human remains has a cost impact, and so we
5 would have to take that into account if we make a decision
6 to remove the waste.

7 MR. O'HARA: My sense is that you don't know
8 how much waste has to be removed if we were to deciding to
9 -- on clean closure.

10 I haven't heard anything tonight -- without
11 looking at the data, I haven't heard anything tonight which
12 leads me to believe that you have a good handle on what
13 those volumes are. You yourself said you didn't know what
14 the volumes were.

15 MS. FANELLI: We have a good handle on it, I
16 believe. We can certainly present that information to you
17 at any point here, if there's any -- but I don't want to
18 close the discussion on the remains --

19 FACILITATOR KERN: I think --

20 MS. FANELLI: -- if there's anything else.

21 FACILITATOR KERN: -- there would be a
22 couple more questions if I might.

23 Does anybody else have any anything for Eric?

24 MR. BERMAN: Just a small question.

25 FACILITATOR KERN: Yeah.

1 MR. BERMAN: They're somewhat minor. Were
2 the burials all done without coffins?

3 MR. BLIND: No. We've got -- for what
4 records do exist, we find that they were burying in redwood
5 coffins, simple pauper's coffins made at the hospital.

6 MR. BERMAN: Were most of the burials in
7 coffins?

8 MR. BLIND: We have only as much data as we
9 can find. We went all the way back to DC to the National
10 Library of Medicine to figure out as much as we could about
11 this.

12 The Public Health Service Hospital, having
13 been done away with in 1981 by Reagan, ended much of the
14 documentary chain. Because at that point, once the service
15 ended, the agency dismantled their program.

16 They sent most of the records back to
17 whatever families they could or they got rid of them. So
18 we have very little records, just a caveat.

19 What we do find is records of them burying in
20 redwood coffins that were made in the local hospital shop,
21 or they did have a crema -- cremation facility where most
22 of the deceased were cremated and put in urns and also
23 buried out back.

24 MR. BERMAN: So the redwood presumably --
25 some of it at least hasn't totally disintegrated. It would

1 be kind of interesting to really characterize the cemetery
2 to have found some of these coffins.

3 That's sort of where the action is, and -- I
4 mean, maybe you have. I don't know, but you haven't
5 presented that, and it would seem to me --

6 MR. BLIND: Yeah.

7 MR. BERMAN: It would seem to me that's kind
8 of a crucial -- I would think that the redwood would
9 survive. We're not talking about several thousand years
10 here.

11 MR. BLIND: Right.

12 MR. BERMAN: A real definition of where the
13 cemetery is is where these coffins are and where the urns
14 are.

15 The urns are probably something that's
16 reasonably -- have a reasonable lifetime, also.

17 MR. BLIND: Right.

18 MR. BERMAN: So if I had to guess, to
19 characterize where the cemetery really is to find where the
20 cemetery -- I'm being very naive here, but not without
21 really understanding the problem, what you found is a few
22 bones here and there and I don't know how they got out of
23 the coffins, because gophers are not able to cut through a
24 redwood coffin.

25 So I don't know whether these are just from

1 extra bones that were thrown in, but it seems to be that
2 you really haven't found the cemetery.

3 MR. BLIND: Well, for the -- at least the
4 burial that I was out for in 2002, there was very scant
5 remains of the redwood coffin itself, but we do believe
6 that the portions that we hit were in a coffin at one
7 point.

8 With that dune sand and the -- and water that
9 goes through that, the wood disintegrates in a different
10 fashion than it would in a different burial condition,
11 where you would find coffins much, much older.

12 So, you know -- but as far as locating the
13 cemetery, the best evidence we have are the historic maps,
14 and it was very well mapped up until 1949, and that's where
15 -- where this shape comes from.

16 It's from one of the last maps. That was
17 actually from the 1949 map. So the cemetery had been
18 mapped on eight to ten maps.

19 MR. BERMAN: Yes. You know the -- you
20 know -- but you don't know the depth. That's the problem.
21 The map doesn't really define the depth, as I understand
22 it.

23 MR. BLIND: Right.

24 MR. BERMAN: Although you know the location
25 in terms of elevation --

1 MR. BLIND: I see what you're saying.

2 MR. BERMAN: -- but you don't really know
3 the depth.

4 When you say you haven't located the
5 cemetery, I don't mean that you don't know that you're
6 standing above it, but you don't know where it is in terms
7 of depth.

8 That's the essential point of finding the
9 coffins, and, you know, I don't know if this is relevant or
10 not, but it would seem to me that the whole issue of the
11 cemetery and the cleanup really is not to dishonor the
12 coffin layers and the urn layers. That's what what you
13 don't want to disturb, but you haven't found those.

14 MR. BLIND: Right. We haven't -- well,
15 that's totally true, and we frankly haven't been looking.
16 We have no research interest to go after these burials, and
17 even if we did, we probably wouldn't just because -- well,
18 it's not a very good reason to go digging these people up.

19 MR. BERMAN: Not so much to dig them up. On
20 the contrary, in one of the concerns you have, if you were
21 -- really would like to look at the clean closure, you
22 don't want to take out the cemetery. You want to take
23 out --

24 MR. BLIND: Right.

25 MR. BERMAN: -- whatever the above it.

1 So you really have to know in-depth where the
2 cemetery is if you really want to look at clean closure,
3 and I think finding a few stray bones when you say that
4 there's reasonable evidence that the majority of burials
5 were either done in urns or in coffins means that you don't
6 really know how deep that -- unless there are records that
7 you can go to that has some -- and you indicated that
8 there's information lacking.

9 So it's not so much that you want to disturb
10 the cemetery. On the contrary, if you want to consider an
11 alternative of clean closure, you want to do that without
12 disturbing the cemetery. You really would like to know
13 what you're talking about in terms of what the depth is.

14 MR. BLIND: Right.

15 MR. BERMAN: And I think that's -- that's
16 maybe a question that was asked before.

17 FACILITATOR KERN: Did you still have
18 something, John?

19 MR. BUDROE: I was wondering on the
20 documentation. Were these marked graves? Because I could
21 see PHS possibly doing an unmarked grave for a bunch of
22 merchant sailors, but surprising that the staff buried
23 their children.

24 MR. BLIND: There were grave markers. This
25 is a well-defined cemetery. There was actually a nice

1 article in the San Francisco Call way back when, in the
2 1890s saying this was a lovely place to take a walk, called
3 "Where Jack is Laid to Rest."

4 It was a very nicely laid out cemetery. The
5 reasons why it was not treated any differently in the 1950s
6 is beyond me, but --

7 MS. FANELLI: It looks like Terri has a copy
8 of it.

9 MR. BUDROE: I just find that interesting
10 that PHS would dump a load of rubble on a graveyard like
11 that. They're not around to answer for it anymore.

12 MR. BERMAN: We don't know what evil lurks
13 in the hearts of men.

14 FACILITATOR KERN: We do know that there was
15 money for the Public Health Service Hospital -- there was
16 money allocated to actually relocate the grave -- the
17 graves, but that money was not spent on that purpose, and
18 then the filling occurred. We don't know what the money
19 was spent on.

20 Bob, you had something. Julian and Jan.

21 MR. HULTGREN: Yeah. I think it would be
22 absolutely great if we knew exactly or even relatively
23 exactly where the line between fill, which includes sand
24 fill, I understand, and the actual cemetery is located, but
25 I have not heard, and I have yet to hear of any practical

1 or feasible or reasonable way of making a determination
2 where that line is.

3 Until I hear that, I have to assume that
4 there is a mix down there that is very volatile and could
5 be a real problem if we start digging into it.

6 MS. BLUM: Following up a little bit on
7 Julian's suggestion. This is a little bit out of left
8 field, but is this landfill 8 critical to the development
9 of Public Health Service Hospital? It isn't in my opinion.

10 Is there something -- do we have to remediate
11 this right now? Is it connected with Nike Swale, something
12 we have to do landfill 8 right now -- let me finish my
13 thought there -- and if we don't, maybe what we call this
14 is an archaeological pit or something and we postpone this
15 thing until the Trust has more money to do a proper
16 excavation and do an archaeological investigation and
17 closure, that they excavate the graveyard, the cemetery and
18 then interpret it and that we postpone landfill 8 until
19 there is more money at some point in the future if it's not
20 critical to the develop of Public Health Service Hospital
21 or the Nike Swale cleanup or some of the other marginal
22 analysis.

23 That wasn't something that we talked about,
24 but to me, maybe we're rushing into this and we could do a
25 better job of it and it would be more interesting for the

1 public as a private park if we do it properly.

2 MS. FANELLI: I just wanted to indicate that
3 our remediation -- we're doing this work to remediate and
4 we are proposing a cover because we feel that a cover is
5 necessary to be protective of human health and the
6 environment.

7 In doing that -- and it's stated in the RAP.
8 When you see the final RAP -- but we've been working
9 through the stakeholder group, but I think it's also stated
10 in the F/S, feasibility study, that it doesn't preclude
11 doing exactly what you suggested doing.

12 However, we do want to remediate it because
13 we have an obligation to remediate it per the consent
14 agreement that we signed the DTSC.

15 But we've acknowledged and are open in the
16 future if there is a need to, means to, a desire to do that
17 type of an archaeological restoration of the cemetery, and
18 what we're proposing as the remedy doesn't preclude that.
19 I just want to throw that out there.

20 MS. BLUM: Just from my point of view for
21 public interest, just for the larger community, San
22 Francisco community, people love this park, and I think
23 that would be a very compelling humane thing to do is to
24 find an old cemetery that has a lot of history and maybe
25 get the community's participation in helping, if there is

1 any way they could do that.

2 To see this thing treated properly I think is
3 what we're all concerned about, and I sense a number of
4 doubts in the room that we really know what we're getting
5 into and we're not really happy with digging into it right
6 now because we just don't know what's down there or where
7 it is or any of the other qualifying things.

8 FACILITATOR KERN: I -- oh, go ahead.

9 MR. O'HARA: Well, my concern would be to go
10 ahead and remediate it with a cover just to satisfy DTSC.
11 It seems to me that that's the tail wagging the dog at this
12 particular point.

13 You have a responsibility to the regulators,
14 but I think you've also got a responsibility to the public,
15 and the public is interested in -- in the objectives that
16 you put forth, but that seems to me that form is dictating
17 substance here rather than the other way around.

18 You've got a piece of history here, and it is
19 not convenient or it is too expensive to pursue history, so
20 we're going to cover it up to satisfy a statutory
21 requirement.

22 To me, that -- that really verges on
23 absurdity. You have a responsibility to the taxpayer and
24 to the sense of history and what the park is all about, and
25 to the extent that you would move forward with a solution

1 to the problem with -- ignores the concept of what the park
2 is all about and the history involved in the park to me
3 does a tremendous disservice.

4 And with the cover there, it lapses back into
5 history and -- and with the cover there, people forget.
6 People have forgotten because the cover is there right now.

7 With the exposure of grave sites or the fact
8 that there is a cemetery, there is -- there's intellectual
9 opportunity or there's an opportunity to pursue
10 intellectual and historical data and facts.

11 Don't let this -- don't let this opportunity
12 bypass us by rushing to cover it over. I'm very concerned
13 that there is a protocol for maintaining these warehouses
14 down on Mason Street.

15 They are -- have this indestructible shield
16 around them because they're historical warehouses, but you
17 seem somewhat callous to the fact that there's a grave site
18 there, but nobody's interested. We can't find anybody
19 that's interested right now, so we're going to cover them
20 over.

21 That's not an acceptable way to -- to treat a
22 public asset.

23 Yes.

24 FACILITATOR KERN: Julian.

25 MR. HULTGREN: Yes. In light of all this

1 that's been said, I'm a little at a loss. I'm just
2 wondering what the other alternatives would be if -- if we
3 don't, you know, cover -- as the Trust has been suggesting.

4 It seems to me there are needs, and I'm not
5 sure any of them is very attractive.

6 One is to take a chance, and it is a chance
7 of going down, removing the landfill and hoping we don't
8 uncover any -- any bones, any bodies or remnants of them.
9 That's one, and that's kind of a cross the fingers thing.

10 The other thing is to go into it full bore.
11 We're going to disinter all the bodies and we're going to
12 bury them in probably a common cemetery and that will be
13 extremely respectful and very historic, but is either of
14 those a practical solution?

15 And I don't have any idea what the expenses
16 are, but I think the last option or alternative would be
17 extremely expensive and would really not be part of the
18 remediation duties of the Trust. It would be something
19 else, and I don't know how it gets paid for.

20 MS. FANELLI: I think that's one of the
21 issues that we struggle is, is what is restoration of the
22 cemetery for historical purposes and other purposes and
23 what is remediation, because there are contaminants present
24 that pose a human health or ecological risk, and we can
25 resolve the ecological and human health risks with a cover

1 that is in -- fits well with the approved vegetation
2 management plan for the Presidio.

3 It provides habitat and it has -- it
4 mitigates the risks of some of the things that Julian
5 brought up, and that's the balance that this remedy is
6 finding.

7 MR. BLIND: And for the history, I think
8 there -- we have to kind of disentangle the two a little
9 bit. We've been trying to figure out ways that people
10 would get a better sense of that place, the fact that there
11 is a cemetery and there's potentially nine hundred people
12 buried there and they have a really interesting history in
13 relation to San Francisco and the Presidio, of course.

14 So there's kind of concurrent plans going
15 forward where we're trying to figure out how to memorialize
16 the area to create some sort of recognizable landscape
17 where someone could go there and understand that there's 43
18 countries, citizens represented in this landscape and they
19 were from the period of time when merging globalization in
20 the Pacific Rim in San Francisco was a major port.

21 That we can kind of do on the side. That
22 does not involve excavating remains. The excavation of
23 remains I would say is not very respectful as far as, you
24 know, when you inter somebody, you inter them for life.

25 Now they are below the landfill, but I also

1 think that once you start trying to rectify that path
2 forward, we're going to wind up making bad steps in spite
3 of our good intentions as we try to do something to perhaps
4 remove that landfill to be respectful.

5 As far as the burials and their kind of
6 value, at some point in the future, I think there will be a
7 real reason to perhaps excavate some of these individuals,
8 but until that reason comes along, and one I foresee is one
9 to do with disease and epidemiology.

10 These people died of a whole grand variety of
11 diseases that were coming around with globalization and
12 happened to find their way to San Francisco when they died,
13 and for -- when you go into these kind of cemetery
14 excavations, you want to have a really clear research
15 design with a kind of compelling reason why you're trying
16 to disrespect the honor of the interred in order to get
17 something -- some piece of information out of them that
18 would be of great value to humanity today.

19 I've been involved in a couple of those kinds
20 of excavations and, you know, without that reason, we're
21 simply digging them up to create a better document of
22 history.

23 MR. WHILDEN: I don't understand what you're
24 saying could be founded archaeological --

25 MR. BLIND: What's that?

1 MR. WHILDEN: What value could science get
2 by archaeologically excavating this cemetery?

3 MR. BLIND: Mostly as I was trying to
4 say -- and I didn't say it very well -- is disease
5 epidemiology. Soft tissues if you want from to try to go
6 at.

7 The advances they're making in hard tissue
8 bones to understand diseases that actually killed these
9 people. If most of them died from some sort of contagious
10 disease, then, you know, you actually have a great pool of
11 scientific data.

12 To give you an example --

13 MR. WHILDEN: Do you really think someone
14 would be interested in that, this particular cemetery?

15 MR. BLIND: This is prime. Dying of all
16 kinds of diseases, and then coming just across the Pacific
17 on a routine basis.

18 MR. WHILDEN: There's no records of which
19 bones belong to which person. All they could do is pick up
20 random bones. I have to say I don't know necessarily know
21 if I agree with that.

22 MR. HULTGREN: This was exactly what was
23 done in Alaska regarding the flu virus from 1912. Exactly
24 the same thing was done there and they discovered things
25 that they hadn't known before.

1 So it is a viable consideration -- not
2 consideration, but prospect.

3 MR. BLIND: Yeah.

4 MR. WHILDEN: Is there a name for that field
5 of study?

6 MR. BLIND: For that field of study?

7 Mr. WHILDEN: Yes.

8 MR. BLIND: Epidemiology.

9 MR. BUDROE: Forensic epidemiology.

10 Two things. One thinking, when you inter
11 somebody, you inter them forever, but hopefully you're not
12 talking about dumping thousands of tons of landfill on top
13 of them.

14 I wouldn't necessarily agree that thinking of
15 reinterring their remains somewhere else would be far more
16 respectful than leaving them where they are with a ton of
17 building rubble sitting over them. So that would be my
18 take on it.

19 As far as the usefulness of interring those
20 bones for scientific research, I work with a bunch of
21 epidemiologists on a regular basis.

22 Those bones would be worth next to nothing.
23 What you're talking about with the Native Americans up in
24 Alaska, they had very specific records and knew what those
25 folks died specifically of and could trace it down to the

1 individuals.

2 What you've got essentially out there now,
3 out at the old PHS Cemetery is a mass grave. There
4 wouldn't be much that you could get. You couldn't
5 characterize --

6 MR. HULTGREN: I think they harvested
7 viruses from Alaska. I think it didn't matter what corpse
8 it came from.

9 MR. BUDROE: They knew what those people
10 died of.

11 MR. BLIND: We do have records of what they
12 died of. You have to connect the records to --

13 MR. BUDROE: You go back and do a DNA. That
14 chain's long broken.

15 My question is: You have a problem now with
16 the ground squirrels bringing up human remains. If the
17 Trust went with their alternative, would there be an
18 absolute guarantee of permanently removing the possibility
19 of that happening?

20 MR. BLIND: In some areas, landscape areas,
21 the Trust has started putting down different kinds of
22 chicken wire and impermeable barriers to try to deter
23 gophers and land varmints.

24 How long that lasts, I think it's got a
25 timeline on its effectiveness.

1 MS. FANELLI: I don't know that it would.
2 We're putting in sand, which is a different habitat. I
3 don't know the extent if you have gophers in dune sand
4 habitat.

5 I don't know if the types of animals you do.
6 It doesn't mitigate it completely.

7 MR. BOGGS: I saw one at the Nike Swale
8 today.

9 FACILITATOR KERN: There's a large number of
10 questions surrounding the data. If I could bring that
11 while Eric is here. I just wanted to review a couple of
12 things that -- the number of finds and then your -- you
13 mentioned that determining the level between the fill and
14 the waste was kind of sketchy or -- I'm paraphrasing.

15 So there was this find in 1990 where there
16 was intentionally going for the -- to make sure that there
17 was a cemetery, and they found the remains six feet below
18 the bottom of the waste. I think that's pretty well
19 documented in the report.

20 In 1994, which I just saw today for the first
21 time, it says that the human bone was encountered at five
22 feet below the ground surface, according to this, which I
23 haven't looked at the -- I did see the log today, but I
24 haven't been able to see the full set of all the logs to
25 kind of compare the full data set, which I want to do.

1 But I did map all of the layer of fill which
2 I can talk a little bit about because Mo did a little work
3 with my data, as well, and it looks like where that
4 particular -- we're talking five feet below the ground
5 surface was at this location here, and if you look at the
6 test pits around here, the waste is really shallow. It's
7 like one foot, two feet over here. So we could have just a
8 shallow part of the cemetery there.

9 We know also from test pits that the total
10 waste in this whole area is only one or two feet thick.
11 The same here and then over in this area maybe averages
12 about five feet.

13 It's not until you get in this area where
14 it's about fourteen feet thick. I think that's at least my
15 mapping of the data.

16 Now that kind of brings me back to when we
17 were talking about it doesn't look like -- or maybe the
18 logs were kind of reverse engineered or -- I'm just
19 wondering how you would characterize from your memory
20 the -- how it looked.

21 Because it's true. When I look at the logs,
22 you know, there's a line. It says debris of a certain
23 percentage here and then less percentage and then native
24 sand or whatever.

25 So that was whoever was out there at the time

1 making that log.

2 How would you characterize it? Can we really
3 -- because you're suggesting -- and maybe I can't put a lot
4 of faith in these logs. So I'm kind of getting back to
5 Julian's question. Right now I'm thinking I can map it,
6 but you're sort of saying I can't, so --

7 MR. BLIND: It was -- the observations out
8 there were difficult because they were so deep, especially
9 the one in 2002, up to nine feet deep. You can't really
10 get too close to the edge of that.

11 But, you know, when I was looking at it
12 without being able to actually get down in the hole and
13 clean the sidewall and look at some sort of stratigraphic
14 interface and look at the layers, dune sand on top of dune
15 sand.

16 The dune sand above has a lot of debris in
17 it, landfill material and the dune sand below has less or
18 none and then burials in it.

19 But the basic matrix that makes up, you know,
20 the site is redeposited dune sand, and when you have that
21 kind of situation, I mean, there's a lot of people that are
22 much better than I am at doing this stratigraphic analysis,
23 but at the level that we're talking about, big equipment,
24 there's really not much of visual distinction to go on.

25 Now once you start to deal with something

1 like a burial, reverse engineering, we're definitely not in
2 the landfill anymore, because there's bones here and then
3 in the landfill, you can kind of do your gradations of
4 twenty percent debris, ten percent debris, but once it gets
5 down to ten percent debris and then ninety percent dune
6 sand on top of more dune sand, that interface becomes very
7 tricky to find, especially with the kind of coarse
8 equipment that we have used and I would anticipate we'll be
9 using again.

10 FACILITATOR KERN: I guess what I was
11 getting at then is -- you know, we have a map, a relative
12 map of thickness based on, you know, a back hoe digging in
13 these trenches, and as you say, maybe it's hard to see the
14 level and stuff down in there.

15 I'm just wondering if we did have an intent
16 to excavate the material, would there be ways that we could
17 creatively figure out what that depth would be?

18 I mean, are there technologies, everything
19 from, you know, some sort of radar survey that could image
20 through dune sand? That's what I hear is done to find
21 things out in Egypt.

22 I'm speaking way out of my depth on something
23 like this, but I know from my own experience, it would
24 require some kind of an interface to have those kinds of
25 waves reflect off it.

1 Are there any technologies that we could use
2 to really limit the risk of digging down too deep? Because
3 I think that's something that people recognize. We don't
4 want to run into the graves.

5 So I'm just sort of speaking off the top of
6 my head there.

7 I also -- I'm also thinking that we have
8 these three finds of human remains that have all been -- at
9 least according to these logs, below the waste and then we
10 have the mandible on the surface.

11 So do you know if there's been any kind of
12 other -- kind of like just scouring of the surface,
13 wandering around looking for any more deposits on the
14 surface? I mean, are we finding anything else?

15 MR. BLIND: Let me see. Let me start with
16 the first point.

17 As far as kind of remote sensing
18 technologies, I've actually thought about this quite a bit.
19 We just had a class out here with some of the experts from
20 the National Park Service gathered together and brought out
21 to do the whole range of technologies from ground
22 penetrating radar to magnetometry, XR x-ray fluorescence, a
23 whole variety of things, and I don't think it would be very
24 good to try to figure out the landfill. The
25 difference between the sand and what's in the sand would be

1 great. I think the amount of kind of noise down there with
2 the jumbled nature of the fill would create a zone that
3 would not be very reliable, mostly because depths are not
4 very good with the radar.

5 It can tell you a relative depth, but if
6 you're trying to target, say, what is in at eight feet or
7 ten feet or twelve feet, it's not very good, that good,
8 because you have to calculate the rates going down.

9 So I have to think about that a little bit
10 and its applications to the Presidio.

11 Now as far as -- we haven't really done any
12 surveys out there. We had a couple years back a volunteer
13 program that wanted to go out and do some surveys, and at
14 at that point, we hadn't really gone through the legal
15 machinations to figure out when we find bones, what's our
16 process.

17 So we pulled back that kind of community
18 based program, you know, use your efforts for other things.

19 So we don't really have a lot of information
20 out there because in some respects, we haven't -- we
21 haven't been looking.

22 FACILITATOR KERN: Okay.

23 MR. BLIND: And that's --

24 MR. BAZAUGANI: In regards to the radar
25 stuff, I've done a lot of that, and on a site like this,

1 you get a lot of interference from concrete and from rubble
2 that's there, and then it's difficult to tell the
3 difference between silty sand and sandy sand, different --
4 when you get such small disturbed sand and undisturbed
5 sand, it's very difficult, almost impossible to tell the
6 difference between those two -- if you have clays and you
7 have sands, then it's easy.

8 If you have silts and you have sand, then
9 it's easy, but when it's like this, it's very difficult.

10 FACILITATOR KERN: My question was mostly
11 have we tried to think of something that could more
12 carefully determine that depth?

13 MR. WHILDEN: Let me ask a question. You
14 said we have photos and old maps.

15 Are there topo maps?

16 MR. BLIND: That's a good question. We have
17 done an effort to -- the best early topographic map we have
18 is from 1871, a guy named Hammond Hall. Six foot contour
19 lines.

20 It's really the best map that we have as far
21 as elevation goes, until a survey that the Presidio Trust
22 commissioned in 2000.

23 So what we did is we digitized that map. A
24 guy worked with Hans Burdahl did most of this work, created
25 the three-way model of the 1871 terrain.

1 We did what it looked like today, overlaid
2 the two and figured out what areas they put, and the Army
3 removed whole hill sides, and where we filled in whole
4 ravines, for instance, and as we've looked at it quite a
5 few times, you get kind of a variance out there and you can
6 get kind of a degrees scale that okay.

7 There's twenty feet of fill out there in that
8 main post parking lot. There used to be a stream ravine
9 underneath of it.

10 Once you do everything in fine or grains,
11 1871's got six foot contour lines, you basically have about
12 five feet of clay in there where you can get a lot of air,
13 and the other kind of confounding factor this area of the
14 Presidio that we're talking about here, the massive
15 shifting sand dunes.

16 So both the mapping out there isn't the best
17 in 1871 and the --

18 MR. WHILDEN: What you're saying is you have
19 no idea what the -- before the fill started, what that
20 surface looked like, topography.

21 MS. FANELLI: We have an idea.

22 MR. BLIND: We have six foot contour lines.

23 MR. WHILDEN: So what was the surface like,
24 the topography?

25 MS. FANELLI: Sand dunes.

1 FACILITATOR KERN: Was it a valley going
2 through there? Was it a depression in the site?

3 MR. BLIND: I would have to go back and look
4 at the map. But the map is available.

5 MR. WHILDEN: So graves were dug in the sand
6 dunes, basically?

7 MR. BLIND: Yes.

8 MR. WHILDEN: So no uniform dents throughout
9 the site or do you know? You don't know?

10 MR. BLIND: I would assume six feet, but --

11 MR. WHILDEN: I would just like to say where
12 my opinion on this is going. There's not a lot of people
13 who are going to care about these bones. There's not much
14 value to them other than what we personally think in the
15 park, and if we -- but the fill itself is toxic and a
16 hundred years, it's still going to be toxic.

17 And maybe we should think about taking out
18 the fill, and if a few bones get dug up and scattered, we
19 do the best we can. Put them back in the ground. It's not
20 going to be affecting their future.

21 FACILITATOR KERN: Sam, Julian.

22 MR. BOGGS: Just to go back to the GPR, I've
23 used it as well for finding underground tanks and that sort
24 of thing. You do run into a lot of scatter with concrete
25 pipes, et cetera.

1 But as you were saying that, it made us think
2 of another way of looking at that.

3 In the fill, you're going to get a lot of
4 miscellaneous, you don't know what, and hopefully there
5 will be a separation layer between scatter in the fill
6 that's got concrete chunks, et cetera, and then we get into
7 dune sand we shouldn't have much chatter in it at all, and
8 then you get down to a deeper layer, and granted the depth
9 effectiveness below ten feet becomes really tough, but it
10 might be a way at least for some of the shallow parts of
11 the landfill.

12 It might be -- give us some characterization
13 and information that we don't have.

14 You're looking at the data completely
15 different than how you normally look at it. You look at it
16 for the gray bands that indicate there's something there,
17 whereas we're going to be looking for the opposite,
18 essentially.

19 FACILITATOR KERN: Sam.

20 MR. BERMAN: My question is sort of along
21 the same thing that Bob was mentioning. Because I think
22 somehow with around 800 bodies that are there, that there
23 should be some coffins still intact, and there must be a
24 coffin layer and it would seem to me that using the -- the
25 ground radar surveillance techniques, you ought to be able

1 to go through and notice a place where there's a bunch of
2 coffins.

3 That does not seem to me to be beyond present
4 day technology, and -- and at least we know
5 what -- you know, where these -- that there may be
6 scattered bones there, and what Kevin said is maybe
7 reasonable.

8 We can take out the stuff and put the bones
9 back in as best we could if that's a feasible thing to do,
10 but still, I'm just worried about the characterization.

11 We don't really know -- it's hard to believe
12 with 800 bodies, there isn't a couple of hundred coffins
13 that are still there, and that would define a boundary of
14 some kind.

15 That's really where the graves are, and I --
16 so on the basis of just -- I'm not an expert in this area,
17 but given that there's a lot of wood and a lot of coffins
18 an the underground radar surveillance is not that crude a
19 technique, you ought to be able to find that layer.

20 MS. FANELLI: Maybe we should talk a little
21 bit about volume. In some of the test pits, we do have
22 some cross-sections, and we feel that we have a good handle
23 on the debris fill and lesser handle on sort of sand fill
24 or fill that might have small amount of debris overlying
25 sort of a disturbed sand layer overlying the native soil.

1 We've talked about that today that Doug,
2 based on some good work that Doug has done, that we concur
3 with, that we're looking at about 30,000 yards of in-
4 place --

5

6 FACILITATOR KERN: Right. That was revised
7 downward.

8 MS. FANELLI: -- with debris in it.

9 FACILITATOR KERN: Under 40,000.

10 MS. FANELLI: 30,000, right, but if you look
11 at that debris sand layer above what we think based on --
12 on the test pits that we have that were done historically,
13 not just the ones that had bones in it, because there have
14 been several test pits there, that there could be as much
15 as 10,000 additional yards of fill above the original
16 ground surface that has lesser debris in it, known to less
17 than ten percent debris.

18 We're looking at somewhere, the Trust feels,
19 between 30,000 yards, which we're fairly confident is
20 debris and 40,000 yards which would include sand above --
21 underneath that debris that was for whatever reason placed
22 above the cemetery.

23 I don't know, Mo. You can kind of show some
24 of these sections and describe it.

25 MR. BAZAUGANI: Right. For example, the

1 first cross-section is the LL cross-section, and I show it
2 as section from here to here. That's done right across.

3 So -- and this fill -- and this is -- this
4 cross-section actually maps the general fill, which is a
5 mixture of disturbed sand and construction debris that's
6 been placed on the land.

7 So this is the fill -- this is the cross-
8 section that was originally used to come up with the 40,000
9 cubic yard volume estimate.

10 And then after that, we went back in and
11 individually looked at those potholes, those test pits and
12 differentiated between what was actually construction
13 debris and fill with less than ten percent construction
14 debris.

15 And so that's how this cross-section was
16 further refined later on to come up with the 30,000 yard
17 volume as a starting point and then extended our cost
18 estimate to 40,000 cubic yards. I'll explain that later.

19 This is one of the cross-sections that have
20 been used to -- originally to come up with the 40,000 cubic
21 yards estimate.

22 FACILITATOR KERN: And Mo and I have a
23 little bit of disagreement on using this.

24 MR. BAZAUGANI: That's right.

25 FACILITATOR KERN: Which we don't need

1 to --

2 MR. BAZAUGANI: Right. We will talk about
3 that later.

4 There's the cross-section M and prime which
5 goes right -- sorry. There's a cross-section M and prime
6 which goes right through the heart of the landfill, and
7 that cross-section is this one.

8 You can see the depth of the fill material
9 here right on top of the cemetery is of -- on the order of
10 about twenty feet. And the next cross-section is N and
11 prime, and this cross-section starts from here and goes
12 diagonally across the landfill to -- a different way.

13 And again, you can see the depth of the fill
14 in this area is on the order of fifteen to twenty feet in
15 some of these test pits.

16 That's the fill material. Again, that's the
17 fill that's a combination of a fill, imported soil material
18 and soil that has construction debris in it in excess of
19 ten percent.

20 FACILITATOR KERN: So where we disagree a
21 little bit on this, just to add to the conversation while
22 you're going on, is my read of the logs is a little bit
23 contrary to what you're saying.

24 It's not ten percent debris and above. I'm
25 looking at debris and in many cases where the person

1 logging the trench said no debris.

2 MR. BAZAUGANI: Right.

3 FACILITATOR KERN: And so that's a little
4 bit different than what we're talking about in that there's
5 debris and then there's no debris and it's fairly
6 well-defined in these -- these logs.

7 There's not a lot -- there's not question
8 marks drawn and things of that nature which they would
9 typically do.

10 MR. BAZAUGANI: Right. There's a couple of
11 them that actually discuss existence of wood debris less
12 than ten percent, three to four percent debris.

13 FACILITATOR KERN: That's right, and I'm
14 going from the bottom --

15 MR. BAZAUGANI: Right.

16 FACILITATOR KERN: -- of my debris to zero
17 degree. So I'm trying to be conservative that way.

18 MR. BAZAUGANI: That's an issue that we're
19 going to resolve between us on Friday.

20 So to 30,000 cubic yard -- the 40,000 cubic
21 yards was revised downward. Instead of starting on the
22 40,000 and seeing where we can go -- how we can reduce the
23 number from there, we started with 30,000 cubic yard
24 estimate and said: Okay. If it's at 30,000 cubic yards,
25 if we take the bottom of the ten percent debris line, where

1 it says: "Fill material with construction debris," if we
2 take that at 30,000 cubic yards, what are the potential for
3 cost increase in increases and do a sensibility analysis on
4 the cost estimate and see where is the cost going to take
5 us from there.

6 We also -- I have to -- I have to also tell
7 you that since the original cost estimate was done, what I
8 did was I became a little bit more familiar with additional
9 other excavation projects at the Presidio and realized that
10 one of the problems that exists here is that it ends up
11 that a lot of the soil that gets excavated from Presidio
12 ends up going -- getting characterized as -- as
13 a --

14 MR. BERMAN: Cal hazard.

15 MR. BAZAUGANI: Right. Because of voluble
16 lead. Even though it's not toxic to human health and
17 environment, when it gets to the landfill, it gets
18 characterized as Cal hazard.

19 We looked at all the total lead data and
20 soil, and we determined that somewhere in the neighborhood
21 of seventeen percent of the soil samples so far collected
22 at the landfill are at concentrations that are above a
23 hundred PPM, which is more than twenty times the STLC
24 value, which is five PPM.

25 FACILITATOR KERN: Mo, could you just briefly

1 say what STLC is?

2 MR. BAZAUGANI: Solubility threshold limits
3 concentration. What it is is they take the soil and they
4 put it through -- they put it in a column and they treat it
5 with an aggressive acid and they try and leach out the lead
6 from it and they measure that -- the lead that's in that
7 leachate and they measure that, and if that is above five
8 milligrams per liter, they call it a California hazardous
9 waste.

10 Now in reality, this condition never happens
11 because we don't get rain that comes down with a pH of one
12 to two, and the typical rain in California has a pH of five
13 and a half, six, six and a half, so we don't get that
14 aggressive of an acid leaching from the soil.

15 MR. BOGGS: It's a test that's for waste
16 disposals, because landfills, they are very acidic. If you
17 took it to a municipal landfill, when trash breaks down, it
18 produces acid that would leach that lead into the water.

19 They say if this lead is valuable, it will be
20 leached by an acid solution. Maybe it shouldn't go into a
21 municipal landfill. It needs to go into a slightly better
22 landfill.

23 So that's where this nature between total
24 lead and soluble lead, there's two different levels for
25 what's a hazardous waste, and they're both kind of

1 independent of the toxicity where it sits, has more to do
2 with once we dig it up, how would you get rid of it.

3 MR. BERMAN: Is the bottom line here that
4 the 30,000 cubic yards is essentially all Cal hazard?

5 MS. FANELLI: Not at all.

6 MR. BAZAUGANI: What I was getting at, Sam,
7 is we estimated based on our calculations -- about twenty
8 percent we're estimating is going to end up at California
9 hazardous. So we revised the estimate. The original
10 estimate had all of it going to class two landfill.

11 MR. BERMAN: Yeah.

12 MR. BAZAUGANI: And the revised estimate has
13 twenty percent of it getting characterized as Cal haz and
14 going to class one.

15 We also eliminated from the original estimate
16 -- we eliminated from the fact that we had backfill coming
17 in. So we said we're going to restore the surface the way
18 it is, so there's no additional backwards cost going into
19 this cost estimate.

20 So having done that, what we came out, the
21 modified cost estimate for alternative 6 came out to be 5.3
22 million dollars.

23 Now, that is -- when you look at it -- the
24 capital cost for the estimate was 4.08 million, and then
25 when you order all the regulatory oversight and program

1 management, field construction management and contingencies
2 to this, you end up with 5.4 million.

3 MS. FANELLI: So it may be more worthwhile
4 to compare what we call the hard cost, the hard
5 construction cost which is the 4.08 or 4.1 million dollars
6 of alternative 6, to alternative 2, which is the cover
7 alternative, which have hard costs that are less than less
8 than a million, \$712,000.

9 The other costs regulatory, that's a
10 percentage, and what is it? Thirty --

11 MR. BAZAUGANI: Overall, it adds up to about
12 32 percent.

13 MS. FANELLI: 32 percent, which is common in
14 these kinds of estimates to add a level of contingency just
15 based on a percentage of your hard construction costs.

16 So this is from a cost standpoint what we're
17 looking at, and both of these costs do include time for
18 archaeological monitoring.

19 They do not include time for processing fill
20 material, but they do include the time to have somebody
21 like Eric or a couple of people like Eric out observing the
22 -- observing the work.

23 Now if there were requirements for actually
24 processing -- and I suppose Eric could talk to that a
25 little bit if you would like -- then we've looked at some

1 of those contingencies down below, but without getting into
2 any details about the lower set of numbers, what we were --
3 what Mo was saying in terms of sensitivities, we were
4 trying to look at well, what if the worst case happens.
5 What if we had 10,000 more yards of fill and we have to
6 dispose of it? What does that do to the costs?

7 What if we have more of that material going
8 into a class one? What does that do to the costs?

9 So what we were attempting to do here was
10 kind of put bounds on a -- on a risk number. No, we think
11 based on our estimate that it would be about 5.3, but what
12 could it be if things didn't work out that way? So that
13 was the whole purpose of this analysis.

14 But I think the main thing the Trust is
15 looking at quite honestly when it comes to protecting human
16 health and the environment with the different remedies in
17 this particular case are the difference in hard costs
18 between alternative 2 and alternative 3, recognizing that
19 alternative 2 does provide a bounds.

20 We do get to restore native habitats and we
21 do avoid the downside risks associated with many of the
22 things we've been talking about, total volumes, dealing
23 with potential for human remains, et cetera.

24 And the cap does not preclude the development
25 of a memorial that we haven't talked about in detail, but I

1 know we've talked about it in the past and Eric alluded to.

2 MR. BERMAN: Well, when you look at those
3 numbers, they're -- they definitely are very striking.

4 There's an order of magnitude difference between the two.

5 The thing the -- the thing that -- I think
6 that would strengthen your case -- the economic analysis is
7 really the core of the -- of the -- I have to go with
8 alternative 2, but I think you can -- every contingency
9 that you've considered is always an add-on, and it's hard
10 to believe there aren't some contingencies that would be a
11 subtractor of some kind. I don't know.

12 Maybe there's -- taking a fixed percent of
13 the capital cost is not really the right way to do it when
14 you look at this excavation here. I don't know. Looking
15 historically at what those costs are.

16 So what it looks like from -- from a total
17 layman's perspective is that every contingency --
18 everything is always adding cost. You're always certain
19 that anything will add cost and there's no uncertainty, and
20 that it might be a subtraction. I don't know.

21 As a non-expert, I find that argument
22 somewhat difficult to comprehend, because you just took
23 fixed percentages, fifteen percent for contingency, you
24 know. Maybe that number.

25 MS. FANELLI: Right. I think where the real

1 risk numbers are is when you look at those hard costs,
2 because I agree with you, Sam. When we get to the
3 contingencies -- field construction management, that's
4 based on rules of thumb for lots of different construction
5 projects.

6 MR. BERMAN: Right.

7 MS. FANELLI: And that's pretty standard,
8 but the contingency for capital, that is just a plugged
9 number and that could be five percent, ten percent or we
10 could put zero in there, but what we choose to look at,
11 what are the big numbers in that 4.1 million? What drives
12 that?

13 What drives it is the volume of material you
14 handle. That's your number one cost, and how the waste
15 gets disposed of.

16 And so that number could go down if our
17 assumption that twenty percent is class one is wrong and
18 it's ten percent, that -- that would bring the cost down
19 lower. You're absolutely right, and you'd see a deduction
20 in 6 that you wouldn't see in 2. Those costs move
21 relatively closer together.

22 We're basing that estimate of twenty percent
23 on the data that we have that shows -- we do have lead and
24 that historically across the Presidio, we fail those darn
25 wet tests, and when we try to go out for disposal, it's not

1 necessarily always prudent to assume that we're going to do
2 better.

3 If we do better, that's great, but going into
4 it, I think this is one of the problems that I face as a
5 manager of the program is telling my management that, you
6 know, I think that we could assume five percent class one
7 when really it's twenty percent.

8 I haven't done my job in terms of really
9 putting realistic boundaries on it. It's better to prepare
10 and be ready to spend the money than to come
11 back -- which is sort of the history that happened at some
12 of the Baker Beach sites -- and say we did wrong. We
13 estimated wrong.

14 That's -- that will not make this program
15 successful. So we need to -- we need to be carefully
16 prudent and confident in how we're estimating the numbers.

17 MR. BERMAN: I think that you addressed that
18 in a very reasonable way, and naturally you don't want to
19 fail at your job being too aggressive in some way, and so
20 -- and the numbers are very compelling, but all of that
21 really doesn't address that completely different question
22 that Peter brought up earlier, which is that simply by
23 satisfying a statutory requirement for human -- protection
24 of humans, that you've really dealt with a sort of
25 historical ethical principle, and I think that's what is

1 bothering Peter and many others that say that just to take
2 the narrow view that you want to do a cleanup to satisfy
3 the statutory regulations, but not to look at the greater
4 issue of the historical ethical question and what it would
5 mean for the community to recognize this in some way, you
6 know, that issue is not dealt with, and, you know -- I
7 think Peter is speaking from his heart and probably from
8 the heart of many people on that that would see this as the
9 Presidio Trust proceeding in a way which is a legally
10 correct, but not ethically large -- not ethically large
11 enough to answer all the concerns of the community.

12 MS. FANELLI: I acknowledge and recognize
13 what you're saying. I think it does go back to the tough
14 issue of what is Remediation's responsibility and what is
15 the separate larger responsibility in terms of the press
16 for restoration of some of these cultural sites, and I'd
17 have to really turn back to Eric for what is the current
18 policy and standards when you have a culturally impacted
19 site like this, how do you handle it?

20 And I don't know if there is consensus that
21 excavation is -- is proper, but --

22 FACILITATOR KERN: What I need to do given
23 the hour is I need to jump in. I don't mean to cut off
24 that --

25 MR. BLIND: No, no. I have to leave in like

1 two minutes.

2 FACILITATOR KERN: Okay. Maybe you could
3 have explained the whole policy in two minutes, but I think
4 we've had a good discussion tonight. I really want to
5 thank all of you for your thoughtful words.

6 I know the Trust has done a lot of work since
7 last week after my comments and I've received a lot of them
8 today as you are.

9 I'm going to dig into those, no pun intended,
10 and get with Mo on Friday to review his work and make sure
11 we're on the same page about some of those things.

12 As we're wrapping up here, I just need people
13 to really take to heart what they think about this
14 situation. We need to begin to craft our written response
15 and whatever we're going to do.

16 And so we may need to poll the group in some
17 fashion, find out where people are, again thinking about
18 what Eileen is proposing for a comment period coming up
19 rather shortly.

20 MS. FANELLI: Right, and with that comment
21 period, we would issue all of the documents, although of
22 course Doug has all of our drafts, so he knows where
23 they're going, but those would be issued sometime around
24 the 17th of November, whenever the comment period began and
25 would be fully available on the website and provide copies,

1 whatever. But we can get you information in advance.

2 FACILITATOR KERN: Let me just check in with
3 Bob on item number 6. Anything from you?

4 MR. BOGGS: Nothing to add.

5 FACILITATOR KERN: Any new business? Jan.

6 MS. BLUM: Getting back to this release of
7 the potential draft on November 17th, I would just suggest
8 that we can use probably two weeks in there of the holidays
9 and we run into Christmas, and if we only have five weeks
10 to comment, I think that we need to look at a longer
11 window.

12 Everybody is quite busy right now at the main
13 post, as well. They all have Thanksgiving. We just lose
14 too much time during the holidays. It puts everyone
15 everybody in a bad position.

16 MS. FANELLI: The normal period is thirty
17 days. We're looking to be extending that. We can
18 certainly consider it extending it further. We're looking
19 and talking about dates in January.

20 MS. BLUM: Definitely if we can urge you to
21 consider January at this point.

22 FACILITATOR KERN: We still need to operate
23 in some urgency because we have typically not held our
24 committee meeting in December, because it usually falls
25 right in the fourth week.

1 MS. BLUM: Right.

2 FACILITATOR KERN: We have usually had a
3 Christmas party of some kind the second week, so we'll have
4 to really consider whether we're going to have that party
5 or work on this topic. That should be in people's minds.

6 Any other action items besides this one in
7 front of us?

8 MR. BERMAN: I think the next committee
9 meeting, again this month is going to presumably continue
10 this discussion, so that would be the main action item for
11 the --

12 FACILITATOR KERN: Indeed, yes.

13 MR. BERMAN: -- committee meeting.

14 MS. BLUM: I would like to get an update on
15 what the Trust is going to be doing to generate additional
16 funds to possibly supplement the RAB's diminishing budget,
17 so we might be able to do more than what we think we might
18 at the current time.

19 FACILITATOR KERN: Very good. Brian.

20 MR. ULLENSVANG: I just would like to
21 confirm next month's meeting schedule. The RAB meeting is
22 scheduled for a federal holiday. I just wanted to confirm
23 whether they were having the RAB meeting on that day or
24 taking an alternate path.

25 FACILITATOR KERN: I don't have a -- you

1 caught me flat-footed on that one. I don't have an answer.

2 MR. BERMAN: He brought it up before. This
3 is the second time.

4 FACILITATOR KERN: I thought that was for
5 the -- tonight was going to be a --

6 MS. CHEEVER: That was a Trust meeting.

7 FACILITATOR KERN: The Trust public meeting,
8 but it got cancelled. I didn't recognize this one, but
9 maybe you did.

10 MS. CHEEVER: What do you think, Eileen?

11 MS. FANELLI: I imagine that the Trust
12 would -- would be able to get the door open for you
13 next -- on the 11th if that's the date that you're stuck
14 with.

15 It is a holiday for the Trust -- isn't it a
16 holiday for us, as well? Holiday for us, as well, but the
17 Trust is pretty flexible about that.

18 I don't think -- I'll confirm, but I don't
19 think it's precluded that if you had that date, the Trust
20 would have someone show up to open the door. I betcha it
21 would be me.

22 FACILITATOR KERN: We'll make our decision
23 at the committee meeting if that will work.

24 MS. CHEEVER: Another option is to have it
25 the day after on Wednesday. It really is a holiday.

1 FACILITATOR KERN: We have been relatively
2 unsuccessful at rescheduling these, but we can try.

3 MS. THOMAS: Usually the holiday lands on
4 Tuesday, and they usually switch it to Monday.

5 MR. ULLENSVANG: I'm pretty sure Tuesday is
6 not the holiday.

7 MR. BOGGS: It's a Tuesday.

8 FACILITATOR KERN: Are there any other items
9 for the good of the order? Seeing none, without objection,
10 meeting adjourned.

11 (The meeting adjourned at 9:00 PM).

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1 STATE OF CALIFORNIA)

2 COUNTY OF SAN FRANCISCO)

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I, the undersigned, hereby certify that the discussion
in the foregoing meeting was taken at the time and place therein
stated; that the foregoing is a full, true and complete record
of said matter.

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I further certify that I am not of counsel or
attorney for either or any of the parties in the foregoing meeting
and caption named, or in any way interested in the outcome of the
cause named in said action.

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IN WITNESS WHEREOF I have
hereunto set my hand this

27 day of October,
2008.


MARK I. BRICKMAN CSR 5527

PRESIDIO RESTORATION ADVISORY BOARD MEETING

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TUESDAY, NOVEMBER 11, 2008

OFFICER'S CLUB, BUILDING 50

PRESIDIO, SAN FRANCISCO, CALIFORNIA

Reported by: MARK I. BRICKMAN, CSR, RPR
License No. 5527

ATTENDEES

RAB Members:

Doug Kern, Facilitator
Mark Youngkin
Eileen Fanelli
Brian Ullensvang
Jan Blum
Sara Segal
Gloria Gee
Jan Monaghan
John Budroe
Julian Hultgren
Julie Cheever
Michelle Passero
Barbara Newton
Toni Kramer
Kevin Whilden
Mark Frey

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BE IT REMEMBERED that, pursuant to Notice of
the Meeting, and on November 11, 2008, at the Officer's
Club, Building 50, Presidio of San Francisco, California,
before me, MARK I. BRICKMAN, CSR No. 5527, State of
California, there commenced a RAB meeting under the
provisions of the Presidio Trust.

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1 FACILITATOR KERN: I'd like to welcome
2 everyone to the Presidio Restoration Advisory Board for the
3 regular meeting for November 2008.

4 I'd like to welcome everyone. Welcome the
5 Presidio Trust. I know we have another member of the trust
6 here who's out on a mission, so welcoming Mark here
7 tonight, Mark Frey.

8 Welcome to the Park Service, our regulators,
9 if they were here, all the community members that are here
10 tonight.

11 I'd like to thank everyone for coming out
12 tonight, particularly Brian and Eileen for coming out on a
13 federal holiday. Thanks everyone for coming in on that
14 day. An important meeting.

15 Does everyone have an agenda? Any changes or
16 additions to that agenda?

17 Any announcements? Any old business?

18 Moving on to our Planning Committee report.

19 Mark.

20 MR. YOUNGKIN: Okay. We had our committee
21 meeting on October 28th at the usual place, Building 1750,
22 and first we started out with a update on the RAP3
23 construction that's in progress right now.

24 We talked about Building 669 where they
25 finished the ash fill excavation, and they had to remove

1 part of the roadways, destroyed part of the roadways and
2 replaced that.

3 Building 662, that's where the cavalry stable
4 buildings are and they are excavating cobblestones one by
5 one, that's contaminated. Building 231, the old gas
6 station down in Tennessee Hollow has been demolished, and
7 they're planning to do OCR injection there, I believe.

8 Transfer station, excavation is still
9 continuing there and they're removing fill layers, and we
10 ended up talking a little bit about firing range 633, which
11 I guess they were postponed because it's under a stand
12 pipe.

13 MS. FANELLI: It's coming up at the end. It
14 will be done as part of the RAP.

15 MR. YOUNGKIN: And then the second -- most
16 of the night, we talked about landfill 4, landfill 8,
17 landfill 10, cemetery, ongoing discussion. We had a
18 question and answer session, basically.

19 And our next committee meeting is on November
20 25th.

21 Thank you.

22 FACILITATOR KERN: Any questions?

23 Moving on to our reports and discussions. We
24 have next Eileen with the quarterly financial report.

25 Did you want to wait until then?

1 MS. FANELLI: If you want to give me a few
2 minutes to see if Mark can find an alternative laptop.
3 Unless anybody else has a laptop.

4 The problem is this is a new Trust laptop.
5 It has on it a new password and ID. They're not working.
6 It's not letting me log in.

7 I can't show you some very nice pictures that I
8 have; not only of 669, but the backfill and transfer
9 station. I have the summary of financial tables, as well.

10 So I can certainly walk through it verbally,
11 but I thought --

12 MR. WHILDEN: I have a laptop if that will
13 work for you.

14 MS. FANELLI: Can we try it?

15 MR. WHILDEN: Sure.

16 MS. FANELLI: Maybe continue. I don't want
17 to hold this up. I can shut this down.

18 FACILITATOR KERN: Well, one thing I can do
19 while you're messing with that is in preparation for our
20 resolution discussion, I brought tonight a resolution from
21 1997 and the -- on excavation, recycling and off-site
22 consolidation of Presidio landfill's fillsites and
23 disturbed areas.

24 This is the first resolution that the
25 Restoration Advisory Board did. This is back eleven years

1 ago now.

2 It's not perfectly on point, but I thought at
3 least I would share it -- people could read through it.

4 It's eleven years ago that we wrote this, but
5 it's not as old as we've been around here.

6 And the other page is the landfill closure
7 principles, the next one.

8 And then I will pass around our latest draft
9 of tonight's resolution, proposed resolution.

10 MS. CHEEVER: By the way, did any of the
11 landfills turn out to be more than a hundred thousand cubic
12 yards? That was the information that we had on --

13 FACILITATOR KERN: There was a re-
14 calculation of landfill E that I think we estimated it to
15 be 110,000 cubic yards that came after this proposal, and
16 then of course landfill 10 was estimated to be more than a
17 hundred thousand.

18 MS. PASSERO: So Doug, you have two or three
19 items?

20 FACILITATOR KERN: The third page coming.

21 MS. PASSERO: Oh.

22 MS. FANELLI: We got it. I appreciate it.
23 They make these things impenetrable. Nobody can steal
24 them.

25 FACILITATOR KERN: Or use them.

1 MS. FANELLI: Or use them. In my era, this
2 was a challenge to figure all these connections out.

3 Okay. Is this a good time or --

4 FACILITATOR KERN: Yeah. We're just passing
5 out things and people will have a chance. We'll give more
6 of a chance to read through it.

7 MS. FANELLI: Okay. All right. Well, what
8 I have to go over tonight is our quarterly financial
9 report. The quarterly report actually is due November
10 15th, but it went out yesterday, and I know that Mark and
11 Doug have copies of it, and you could feel free to forward
12 it to the rest of the RAB members.

13 And that report has all the detail for the
14 summary tables that I'm showing you tonight and the written
15 status report.

16 I also sent a copy of that same report to the
17 Regional Water Quality Control Board and the Department of
18 Toxic Substances Control with different cover letters,
19 basically.

20 And then RAP4, a couple of slides where we
21 are status wise, I think everybody's aware of where we are
22 on that, and then RAP3, I do have a few photos to show you.

23 And then I did add -- it's not on the
24 agenda -- a couple of slides on RAP5, which we have
25 initiated and are moving forward on.

1 So this is a summary of where we are to date.
2 Our current projected budget for the entire program at
3 completion is 156.2 million dollars.

4 Last quarter, I believe it was presented as
5 something on the order of 157 or 158 million.

6 The change this quarter is in the Trust
7 funded labor portion. You'll see right above the bolded
8 156 million the 3.3 million. That number was in
9 discussion, and so the third quarterly report for the
10 fiscal year actually had a higher number in there, and we
11 relooked at that and right sized it given where we think
12 we're going to be -- where we think we're going to be
13 completed and how many staff internally in the Trust will
14 be working on that to get that done.

15 So that's the only number that has changed.

16 For your information, the last fourth quarter
17 was audited. The Trust -- the Trust books are audited
18 every year.

19 This year we had a new accounting firm. I
20 think it was KMPG, and they looked very closely at the
21 remediation budget.

22 The reason they looked at the remediation
23 budget is because it is the Trust -- one of the Trust if
24 not the Trust's single biggest liability on their books
25 when they do their production. So these numbers actually

1 have been reviewed by KMPG.

2 Here comes Mark. One of the RAB members had
3 a laptop, so we were able to get started. But thank you.
4 He came back with a laptop. So now we have more laptops
5 than we need.

6 And this is the first slide for your
7 information.

8 We are still evaluating individual project
9 costs, and I think if you're going to see a change or a
10 shift in budget, it will be at the end of first quarter of
11 fiscal year 2009, because I'm trying to take those top
12 twenty largest priced projects and see where they fall out
13 and see if that changes 156 million or if it just shifts
14 between individual projects.

15 MS. PASSERO: Eileen, if I went in there and
16 pulled that back a little bit, would the numbers be bigger?

17 MS. FANELLI: Let's try that.

18 MS. PASSERO: It's a little hard to see.

19 MS. FANELLI: The screen is actually a
20 little twisted. The cord is probably a little --

21 MS. BLUM: Watch the cord, Michelle.

22 MS. FANELLI: Right there. That one. The
23 one on the side.

24 We have been refining this -- this table, as
25 well, as you've probably noted from previous reports, and

1 the purpose is to make sure that all of our presentations
2 match and track back to each other, which is an admirable
3 goal, and in particular to make sure that the summaries
4 that the Trust publishes in its annual report reflect what
5 we're presenting to the -- to the RAB.

6 Not that they didn't align. They just
7 presented different data, so if you glanced at them in the
8 past, you might think that there was something off.

9 One of the other items on here is the --
10 below that total cost line, you'll see allowable expenses,
11 other funds, and what that accounts for is other Trust
12 expenses that are not part of the remediation budget, but
13 they are allowable under the Zurich policy.

14 They tend to be natural resources type
15 charges, so Mark Frey's group, or they tend to be
16 operations and maintenance type charges.

17 There's not a lot of them, but where we can
18 capture those, we do and we account for them as allowable
19 costs towards remediation under the Zurich policy. So
20 that's captured now, too.

21 You can see it's just under a hundred
22 thousand dollars.

23 And then we've also shown on here reimbursed
24 costs, and that's actually at this point cash in. So it's
25 not projected cash. It's actually cash that we have

1 received, either from the Army for unknown contamination or
2 for -- from Zurich for unknown contamination.

3 The bulk of that four million dollars is from
4 the Baker Beach project, Baker Beach 2A at this point, and
5 it is not completely reimbursed, and our -- although we
6 anticipate that it will be ultimately.

7 And then the last line is our interest
8 income, and just for your information, given the economy,
9 we're thinking we've got all the interest we're going to be
10 getting.

11 That's going to change a little bit in the
12 next couple of years, but not by any significant amount.

13 MS. BLUM: Is that money inland, nineteen
14 million?

15 MS. FANELLI: That's cash that's been
16 received. Actually, let me correct that. That's our
17 projection, the 19.8 million. Cash actually in is 19.154.
18 So we're not projecting a lot more in interest income.

19 Okay. This is a -- sort of a new table and
20 it doesn't change a lot. It's probably almost
21 imperceptible given the scale, but it just shows what we
22 have spent on known versus spent on unknown sites.

23 Our goal at this point is to reach our
24 hundred million deductible, if you will, on the RSL policy.
25 So I am trying not to spend money on unknown contamination

1 and spend money on known contamination, because that is how
2 we reach our RSL policy.

3 MR. WHILDEN: What's the difference between
4 known and unknown?

5 MS. FANELLI: Unknown sites, they're known
6 unknowns. There were sites that were unknown or not
7 enumerated under the RSL policy, and they are covered under
8 the real policy that we have with Zurich for the real
9 estates -- real estate environmental liability policy.

10 We have done some unknown sites. Obviously
11 we've spent some money on them. Going forward -- and we've
12 been reimbursed for some of them.

13 So the biggest one of them is obviously Baker
14 Beach 2A. That was a big unknown site, and we've been
15 reimbursed for a lot of that, but going forward, we really
16 want to get to a hundred million, and part -- that's cash
17 flow.

18 We want to use what we have in the bank to
19 get to our RSL policy, so those, we can start receiving
20 insurance funds to pick up the rest of the work, and we can
21 worry about funding the unknown sites.

22 If we use that money on unknown sites, then
23 we have that cash flow issue of how do I get the rest of
24 the money to get to my hundred million policy. So that's
25 the reason there.

1 This last quarter, these are the sites with
2 the largest period activity in terms of payment. You might
3 find it odd to see Baker Beach 2A on there, because that
4 work was completed in January, basically, of this year.

5 We finally negotiated a final payment with
6 the contractor. It took a long time, but we reviewed his
7 final invoice, went back and forth and then agreed to a
8 final amount, and the reason that that last invoice took
9 sometime to go through was it was what is called force
10 account work.

11 So it's basically kind of a time and
12 materials account, and George is not here. None of the
13 people that oversaw the work are here anymore, so it took a
14 little bit of re-creation and detailed review of daily
15 field logs and whatever.

16 I can tell you that they invoiced us all
17 total for something on the order of \$450,000 for their
18 final invoice, and through review of that force account, we
19 actually disputed about 87,000 of it, and they agreed to a
20 final payment that was about 85 less.

21 So we came up about 1,500 bucks and what not.
22 But that's -- we took our time to make sure that we paid
23 for only what we needed to pay for.

24 Building 669, which is not a surprise, is in
25 construction and is now double the volume of material,

1 slightly higher waste classification on certain -- than
2 what was originally assumed.

3 Nike facility, finishing there, putting the
4 storm drains back. Landfill 10, a lot of that is design
5 and the RAP costs coming in, and building 1065, that work
6 was finished in second -- in third quarter for the most
7 part, but the bills and the final reporting -- the draft
8 construction completion report has been done.

9 It's in internal review and those are those
10 charges, and groundwater monitoring was the quarterly
11 groundwater monitoring events that occurred.

12 FACILITATOR KERN: Can you tell us what kind
13 of things were overcharged, that 85,000 number?

14 MS. FANELLI: It was all standby equipment
15 charges, basically. So we just disputed whether a piece of
16 equipment was actually on standby because we directed it to
17 be on standby or was it broken down.

18 There was some evidence that pieces of
19 equipment weren't available, anyway, because they were
20 doing some kind of repairs on it. It really got into the
21 fine -- our contract was to bill at Caltrans rates.

22 Well, contract rates for individual equipment
23 is pretty well documented, but there are all sorts of other
24 rules that Caltrans applies on standby.

25 So what we did is they just charged us the

1 hours of the day and the rate.

2 We went back to actually look at the rules
3 that Caltrans uses for those types of force account works,
4 and there's a variety of them. We calculated it two
5 different ways.

6 One way would have given them out of a total
7 charge of 120,000 in standby, something like \$11,000. The
8 way we calculated gave them \$33,000, and so we -- we found
9 a reasonable assumption, because we are not Caltrans; we
10 are the Trust, but that's what it was about.

11 It wasn't really a -- I don't want to portray
12 it as a falsehood. That equipment was out there. We all
13 agreed it was out there. It was simply what was the
14 reasonable way to charge given the way Caltrans structures
15 its force account work, which was what was referenced in
16 the contract.

17 MS. MONAGHAN: How many sites are we
18 monitoring groundwater in right now? Is it hundreds or
19 dozens?

20 MS. FANELLI: It's dozens, and I can't
21 answer that with a specific number. Maybe Brian knows off
22 the top of his head.

23 MR. ULLENSVANG: I don't know off the top of
24 my head.

25 MS. MONAGHAN: That's fine.

1 MS. FANELLI: There are several. Our annual
2 groundwater monitoring tab is about \$450,000. It's not the
3 same each quarter.

4 MS. MONAGHAN: Okay.

5 MS. FANELLI: But it's about that on an
6 annual basis.

7 MS. MONAGHAN: It's good a million dollars.

8 MS. FANELLI: It is. We are really looking
9 hard at that number, because in many cases, we may not need
10 to do as much monitoring.

11 As part of our re-evaluation and closure,
12 we're looking if that's reasonable for all different sites.

13 I should point out, too, that under the
14 groundwater monitoring, the way this is structured, this is
15 monitoring for sites before they are remediated.

16 MS. MONAGHAN: Okay.

17 MS. FANELLI: Once they are remediated, then
18 we put the charges for the groundwater monitoring in those
19 projects costs under post remediation monitoring.

20 MS. MONAGHAN: Okay.

21 MS. FANELLI: So we actually account for
22 groundwater in a couple of places.

23 These are the RAP3 budget status, and we are
24 still at this point -- although this is -- it's not
25 official. It will be when the finance group at the Trust

1 agrees to budget changes on the books, but we're still
2 predicting coming in a million or so dollars under our
3 estimated budget.

4 Now these are the RAP3 sites. Obviously
5 Baker Beach is excluded, and you can see the two sites
6 where we are projecting not having enough budget as 669 and
7 663 firing range at this point.

8 Now that one's got a lot of unknowns because
9 we're just starting to do that work.

10 669, that's the incinerator.

11 MS. BLUM: Right. So we're going to pay for
12 road work when that's over?

13 MS. FANELLI: Oh, yeah. It should be --

14 MS. BLUM: Is that included in the budget
15 estimate?

16 MS. FANELLI: It should be. Brian's still
17 looking at this. We can spend some more time.

18 MR. ULLENSVANG: Can you describe how you
19 can have a negative estimate to complete?

20 MS. FANELLI: Yes. That is an artifact, and
21 it shouldn't be there. That's a typo.

22 What that was comparing to was the current
23 budget. So it's under -- we're going to be -- that was not
24 comparing to what we -- that's comparing to the current
25 budget, the 15,000, not to the estimate at complete budget.

1 So we probably should have changed that.

2 MR. ULLENSVANG: Are the other numbers in
3 that column also doing the same comparison?

4 MS. FANELLI: It probably -- let's do a
5 quick check. 205,000 plus 116,000 gives us 322, right. So
6 it's all comparing to the current budget.

7 So in a way, that estimate to complete's an
8 artifact. You shouldn't be -- that middle column -- Al and
9 I were doing this quickly today.

10 Probably we should have got rid of that
11 column. Because really, it's the estimate at completion.
12 That's the valid number.

13 So we're predicting that we're 3.4 million
14 spent now. We're predicting we'll be 5.7 million spent at
15 the end, right?

16 MR. ULLENSVANG: But that shows, for
17 example, you still have a half million dollars of work at
18 Nike; is that correct?

19 MS. FANELLI: I should take more of this
20 column out. It's not providing you valid information.

21 This column is comparing to current budget,
22 and it's just simply a math subtraction. Current budget
23 minus estimate to complete. This is not accurate.

24 What is accurate is the estimate at
25 completion and comparing that estimate at completion to the

1 budget, you can see that we're under budget. We may be
2 over budget for some.

3 So I apologize for that confusion in this
4 column. We should have deleted that, because I had the
5 same question when I was working on that with Alan. "Alan,
6 what's going on here?" We took it out someplace else, that
7 column.

8 So we're predicting being underbudget.

9 Here's the RAP4 sites budget status. This is
10 probably the same problem on that middle column, estimate
11 to complete. Let's see. If you look to date, we have 3.5
12 million.

13 We're estimating at completion 9.8. The
14 budget that's been established is 13.3. So we're
15 predicting now -- these really haven't been scrubs.

16 There is some contingencies that probably
17 need to be added to all of the budgets, but based on our
18 current construction costs that are included in the F/S,
19 we're looking to be about three to three and a half million
20 dollars under the budget that's on the books right now.

21 I will fix this estimate to complete.

22 I haven't prepared one of these for RAP5 yet,
23 but I will for our next presentation on budgets, because
24 there we're looking at current being two to three million
25 dollars overbudget. That's underbudgeted.

1 So it's good to see that we may be under-
2 budget for RAPs 3 and 4 because we're predicting right now
3 that we will not have that situation for the RAP5 sites.

4 Okay. Milestones this last quarter. We did
5 have the updated baseline master schedule last quarter. We
6 have documented in the quarterly report that I can send you
7 a copy of or Doug that we're still on schedule for May 2014
8 completion.

9 Some projects have shifted a little bit, but
10 nothing in such a way that there's a push on the critical
11 path.

12 Under CERCLA, we have submitted the building
13 937 remedial construction work plan. That's one of our
14 projects that's going to shift and that's because you
15 probably have heard the Foggy Ridge Winery which was going
16 in doesn't look like it's going into 937 at this point, and
17 they were actually going to do the construction work and we
18 had a cautionary arrangement.

19 So that not happening has an effect on our
20 program there. So we'll have to work that out and see how
21 to schedule that.

22 We also completed the draft F/S and
23 preliminary draft RAP for the RAP4 sites.

24 Under petroleum, we submitted closure for
25 tanks in the 920 building, and we received another Regional

1 Board closure document for the group three tanks and for
2 tank 1451.1, and under lead-based paint, we continue to
3 respond to comments from DTSC on our investigation plan.

4 I can't say it happened last quarter because
5 it ended September 30th, but on September 10th, I believe
6 we got approval of that plan, so that activity is done.

7 On the RAP4 sites, you're familiar with all
8 the sites that are included. As you know, we're scheduled
9 for public review beginning next week.

10 The Draft RAP, the F/S, the neg dec and
11 initial study will all be out for -- and available.

12 We are still working on our construction
13 drawings. The thirty percents are done for the majority of
14 the sites. We are working on the sixty percents. We're
15 looking at having those pulled together by mid- December at
16 this point.

17 I was just on the -- calling to the designer
18 today, this afternoon, with our goal to still have those
19 issued for bid by February 1st of '09 so we could be in
20 construction in April.

21 There is going to be some tree removal.
22 Genevieve is going through the internal process at the
23 Trust this week, and I know she's working with Brian to get
24 scheduled to go through the Park Service's process.

25 So we're hoping to do some vegetation, removal,

1 clearance and tree removals in the December time frame, and
2 to the extent we're allowed to in January. I can see that.

3 MS. BLUM: Will those be primarily the
4 landfill land area?

5 MS. FANELLI: There's still tree removal on
6 8, and I believe, are there not, the trees on the CHP
7 range?

8 MR. ULLENSVANG: I don't know. I haven't
9 been told that.

10 MS. FANELLI: I'm not sure about the CHP
11 range, but the majority of the trees are 10, yes.

12 MS. BLUM: The majority are in 10 or 8?

13 MS. FANELLI: How many trees?

14 MR. FREY: I believe the remediation is only
15 requiring them to take out 10 from landfill 8.

16 MS. FANELLI: Okay. So for RAP3, I would
17 have colored all of these red that were done except for the
18 Building 663 firing range, but the truth is we're still
19 doing some final rating and nip and tuck, but we're still
20 doing removing of contaminants at all of the sites.

21 I think at Nike we're doing some paving, and
22 662, we're putting the cobbles back in, and 669, we're
23 getting the roadway back in.

24 Here's some pictures. This is the 669 area.
25 You can see we're standing on Crissy Field. This is Crissy

1 Field Avenue or -- and it -- that little lens of ash was
2 pretty deep here. It was about nine feet below grade. So
3 that was quite a big hole.

4 This, by the way, is where the same location
5 where the UXO was discovered. As you remember, we had a
6 little World War II era practice hand grenade that came out
7 of this excavation, and there was a Friday night boom, and
8 that was the location.

9 Here it is basically regraded, so you can see
10 that we've got a lot of dirt back in. We used backfill
11 material from a variety of places, mainly on- site. The
12 topsoil that had been tested that had been removed before
13 the ash went back in the hole.

14 We did -- the campground work at grading at
15 Rob Hill, that went back in the hole here, and we used what
16 was called the Disney soil, so that was stockpiled from the
17 Main Post from the Walt Disney Family Museum and was
18 backfilled here, as well.

19 This is --

20 MS. BLUM: Is this site going to be regraded
21 to what it was before they dug it up or some other grade?

22 MS. FANELLI: It's being left a little bit
23 lower than what it was, I believe. There are some plans in
24 the future for -- potentially for parking to be obligations
25 for Crissy Field or for special events.

1 That's out of our planning group, and I don't
2 actually have a lot of details on that.

3 MS. BLUM: Are we going to be paying for
4 road upgrades, as well, in this restoration of the road?

5 MS. FANELLI: No. It will just be put back
6 as it was, correct, yes. Correct. This road, as far as I
7 know --

8 MS. KRAMER: It comes out of the --

9 MS. FANELLI: Remediation will replace the
10 road in kind.

11 MS. KRAMER: It's part of our budget.

12 MS. FANELLI: Correct. We tore it up as
13 part of our budget.

14 This portion of Doyle Drive goes away. I
15 don't know the about the longevity of this road.

16 This road was constructed kind of
17 interesting. It had sand underneath it, but then there was
18 a layer of concrete and then there was an asphalt on top of
19 that.

20 So we're replacing it basically that way.

21 MS. BLUM: I think this was one of the areas
22 that we're discussing in the frame of reference. In the
23 original Ptemp, this was described as open space. I hope
24 we're not going to pay for any embellishments.

25 MS. FANELLI: There's absolutely no

1 embellishments. I get to look at the longing eyes that are
2 short of funds. I think if you ask around, they're not
3 getting them out of me at this point in time.

4 No. We just replace in kind, and if we don't
5 need to replace, we don't. One of the nice things about
6 these RAP3 sites, and one of the reasons they're under
7 budget, we had assumed a lot of backfill coming back in,
8 and we didn't have to bring in a lot of backfill material.
9 Or being able to regrade with as Nike swale with existing
10 material. So that has saved a lot of dollars.

11 Here's the Nike swale. This was a cone
12 destruction that kind of went on and on. This was along
13 the road there where we had some PCBs in particular in a
14 storm drainage area.

15 This is the storm drains going back in place.
16 These -- this design was coordinated with natural resources
17 and the landscape planners. This work is completed now,
18 and we're -- if we have them paved, we'll be paving with
19 the asphalt shortly, in the next several days.

20 This is transfer station. This is another
21 site where we've removed more material than we ever thought
22 we would and we're not bringing the fill back in.

23 The only thing we may be bringing back in is
24 aggregate base that was removed as part of the
25 excavation -- that was part of the transfer station

1 structure.

2 The future plan for this site I believe is
3 for wood chips. They're going to store the wood chips
4 there. That pile seems to move around the Presidio quite a
5 bit. I think this is its next stop.

6 Another view. I believe all these stockpiles
7 of soil are gone now. I think we've done all of our
8 off-hauling. We tried to do all of that before the rains
9 came, and we were pretty successful.

10 This is the cobbles. You can see here we've
11 got them out of the ground. They've been -- the guy in the
12 middle there is using some equipment to chip off the
13 asphalt, tarry stuff that has the PCBs associated with it
14 from the cobbles.

15 These cobbles are going to be stockpiled, and
16 we're going to complete our remediation. The cobbles are
17 going to be put back by the Trust folks, and it may be on a
18 different time frame when they get out there to do it, but
19 it won't be done by remediation.

20 But we are paying for it to be replaced
21 because we tore them out.

22 MR. BUDROE: PCBs in the spent motor oil?

23 MS. FANELLI: It looked like they might have
24 oiled the areas between the cobbles and it had PCBs in it,
25 and so they either oiled the cobblestone road to keep dust

1 down and that's how the matrix came.

2 MR. BUDROE: You don't have PCBs in spent
3 motor oil.

4 MS. FANELLI: No, but in tanks and
5 contamination that went back and forth with how they stored
6 the waste oils. We did have a few -- those two drums were
7 up -- are outside of this picture I think towards the
8 viewer, and there were some PCBs in that oil.

9 Low, very low levels, but even so. Above our
10 cleanup levels.

11 RAP5 sites. These are the sites that we're
12 currently working on. There are some unknown sites in this
13 batch.

14 One of the reasons they're in there is
15 because there is other Trust and Conservancy dollars
16 hinging or related to these sites, and so we want to have a
17 good handle on, for example, battery frontal slopes and
18 Merchant Road and this former metal recycling area which is
19 next to Baker Beach 2.

20 We want to have an understanding so that we
21 don't cut our noses off to spite our face kind of activity.
22 The right hand needs to know what the left hand is doing,
23 and if we're using philanthropic moneys, we don't want to
24 run afoul or conflict with remediation down the road. So
25 we're assessing that up-front.

1 Right now we're working on preparing some
2 supplemental field investigation plans. There will
3 probably be two plans. One that looks at the Tennessee
4 Hollow because they're different. They're slightly on
5 different tracks.

6 One looks at the Baker Beach, and our goal is
7 to have those completed in December/January, do that work
8 late January/February, and then move right into updating
9 feasibility studies as necessary and into the RAPs and what
10 not with the goal again of doing remedial construction in
11 2010.

12 So we're repeating the pattern for RAP4 now
13 with the RAP5 sites.

14 MR. WHILDEN: Can you tell me why CEQA is
15 involved in this?

16 MS. FANELLI: That's a really interesting
17 question, and I asked it about twenty times, and my
18 understanding is because the DTSC -- the CEQA is for DTSC.

19 DTSC is taking the action in approving the
20 RAP. So they as a state agency are complying with CEQA in
21 the RAP, whereas if it was the Trust certifying itself, we
22 would probably not be doing CEQA.

23 Of course I don't know how we would be doing
24 that unless it was EPA directly overseeing us on a federal
25 level.

1 In this case, we'd probably be complying with
2 NEPA. So that's why CEQA is involved, because it's a state
3 action.

4 So basically the CEQA document is the state.
5 It is DTSC's. We support them in drafting that, obviously,
6 but it's their document.

7 MR. WHILDEN: Is that happening on all the
8 RAPs?

9 MS. FANELLI: It has happened on all the
10 RAPs.

11 FACILITATOR KERN: So to clarify the initial
12 study is the DTSC document that the RAP is -- the Trust
13 proposal?

14 MS. FANELLI: Correct. And the initial
15 study and the DTSC's findings based on that initial study,
16 which is a Negative Declaration, is included as an appendix
17 to the RAP.

18 MS. SEGAL: Can I just ask? On the plans
19 for the coastal trails in Tennessee Hollow, so is there a
20 particular reason why the supplemental field investigation
21 is needed?

22 MS. FANELLI: Yes. The reason they're
23 needed -- there's a variety of reasons why they're needed.
24 One of the main ones is we really don't have a good
25 understanding of the volumes of materials and the

1 characterization of those materials that we're talking
2 about removing.

3 So -- and that's what caused a lot of the
4 issues on the Baker Beach. Now Baker Beach was different
5 because they did try very hard to get an idea on the
6 volumes, but it was the physical limitations on the site
7 that made it difficult to investigate because it was on a
8 steep slope.

9 MS. SEGAL: Are -- the plans on Tennessee
10 Hollow, are they that old that the work wasn't done? You
11 don't have good information from --

12 MS. FANELLI: We have good information on
13 the types of contaminants that are there. We -- we don't
14 have good enough information on the volumes and the limits
15 in plan view and vertically.

16 MS. SEGAL: Can you -- is there any idea of
17 like percentage-wise on investigative studies and field
18 studies how those -- that planning project effort, what
19 percentage in terms of costs are those costs versus the
20 actual cost of the cleanup or of the project? Do we have
21 those?

22 MS. FANELLI: We do have that information,
23 and I think that would be an excellent thing to look at.

24 MS. SEGAL: I'm not against planning.

25 MS. FANELLI: No, no, no, no.

1 MS. SEGAL: It just seems that there's been
2 lots of field investigations and lots of plans done. Some
3 may be dated and maybe we didn't look at everything. There
4 may be more information that comes up. I don't know if
5 there's a rule of thumb.

6 MS. FANELLI: I don't know if there's --
7 there are some rules of thumb I think in this case because
8 it is very process focused in terms of how you do RIs and
9 FS's and RAPs.

10 MS. SEGAL: Okay.

11 MS. FANELLI: This is data, and so, for
12 example, like on the batteries, we have a good
13 understanding of what the contamination is, and we know
14 that there's human health risk from hydrocarbons.

15 I think what we're not confident is where
16 exactly is it. What is the extent given our future land
17 use and how -- what kind of information would we need to
18 really identify a reasonable spectrum of alternatives from
19 do nothing to, you know, full removal to evaluate
20 alternatives.

21 That's the same what's going on in Tennessee
22 Hollow for fillsite 1. We have data that may imply that
23 there was some contamination, very low levels of
24 contamination in one area. It's not collabor --
25 corroborated -- thank you -- but other pieces of

1 information.

2 We know we have a pot of trenches that have
3 debris in it. I think Doug, you were there when some of
4 those were excavated when you saw the bed frames.

5 Going into construction, I need -- I
6 personally would like a better handle on this as to the
7 volume that we think it is with a little bit more surety
8 and enough knowledge to estimate my risk.

9 Well, if I'm wrong, it's because there may be
10 this evidence that it may be going off in this direction,
11 and so I'm going to -- even though I can't tell if it's
12 contaminated now, I want to assume that it is on the
13 outside.

14 That's important in terms of just getting
15 work done, business process because I need to go and
16 appropriate -- not -- appropriate is not the right word. I
17 need to go and line up the dollars and get the approvals
18 from my boss and Mike Rothmann, and the worst thing that
19 happens is what goes on on Baker Beach, to keep going back
20 and going back.

21 Enough information to have a good strong
22 handle.

23 MS. SEGAL: One last question on sort of
24 protocols. The consultant to contractors that you use, are
25 they different than the ones that do the field

1 investigations -- to gather that kind of data, different
2 from the ones that are actually doing the cleanup?

3 MS. FANELLI: Most of the times they are,
4 yes. For example, on RAP4 sites, the consultant that did
5 much of the investigation was EKI. The designer is SES,
6 and then there'll be a new contractor that actually does
7 the excavation.

8 MS. SEGAL: Okay. Thanks.

9 MS. FANELLI: We have too on occasions had
10 third party review of cost estimates prepared by engineers.
11 So I can see we do that, too.

12 I think this is the last slide, so -- it is.
13 So I'm sorry. I took a while there, but that's where we're
14 at.

15 FACILITATOR KERN: Any other questions for
16 Eileen?

17 Thanks very much.

18 MS. FANELLI: You're welcome.

19 MS. NEWTON: Thank you, Kevin for your
20 laptop.

21 MS. FANELLI: Thank you so much. I know
22 Kevin and Michelle, when I'm desperate, I'm going to turn
23 to them.

24 MS. CHEEVER: What's the exact comment
25 period on what the meeting date is for RAP4?

1 FACILITATOR KERN: Well, that's a good
2 point.

3 MS. CHEEVER: The document says November and
4 December.

5 MS. FANELLI: November 17th to December
6 22nd. The public meeting is now December 2nd, Tuesday
7 here, six o'clock.

8 MS. CHEEVER: Is there any thought of
9 possibly -- I know some of them -- my own has a meeting
10 January 5th.

11 Was there any possibility of delaying the
12 comments?

13 MS. FANELLI: I think those comments are
14 appropriately sent to --

15 MS. CHEEVER: About the date, to Bob?

16 MS. FANELLI: Yes, and that will be their
17 decision. DTSC will make the decision about the 22nd.

18 FACILITATOR KERN: All right. Moving on to
19 item 5B, RAP4, landfills 8 and 10 ongoing discussion, we
20 have previously at this -- in this group back in 1997, we
21 produced a resolution that we have.

22 It's undated. That was mostly because we did
23 not know to do that at that time. We learned. This was
24 the first one that we did. So I did not want to modify it.

25 It turns out that we in later resolutions and

1 letters and votes, we would also indicate what the vote was
2 and the dates and everything at the bottom. This one is
3 the way it was back then.

4 And if you haven't had the chance to read it,
5 basically what it says -- I guess what prompted this was
6 that we were faced at that time in 1997 with the Army
7 wanting to contain all the waste in place, and that was
8 pretty much across the board. All the landfills were going
9 to be left in place.

10 And so the landfill closure principles, there
11 are eight of them, those were the arguments that we
12 developed at the time against containing waste in place.

13 We felt that even at the very minimum
14 consolidating waste would be better to remove it from the
15 seventeen different landfill sites, at least consolidating
16 it so it wouldn't spread all over the Presidio, and that
17 certainly was considered at landfill 8, to remove some
18 portion of the material and -- at least as far as the
19 parking lot, I think the Trust is still considering
20 removing the layer of asphalt and using that down at
21 landfill 10.

22 Item 2 is relocating small landfills. Back
23 at the time the Army was telling us that, well, the
24 presumptive remedies for landfills is simply to cap them in
25 place, and we reviewed the EPA's language at the time, and

1 that -- those landfills were above a hundred thousand cubic
2 yards, at least at the time.

3 So our research indicated that at the time,
4 all of the landfills except --

5 MR. HULTGREN: Could I ask you two
6 questions?

7 One, when did this come out and how was it
8 drafted? By whom?

9 FACILITATOR KERN: This was drafted by the
10 community members of the RAB. At the time it was April/
11 May of 1997.

12 MR. HULTGREN: The same year as the
13 resolution?

14 FACILITATOR KERN: Yes. These were done at
15 the -- at the same time.

16 MR. HULTGREN: Okay. Thank you.

17 MS. CHEEVER: The resolution actually refers
18 to the principles in April 1997.

19 FACILITATOR KERN: That's right. The
20 resolution you'll note actually does refer to the landfill
21 closure principles. Again, I apologize that they don't
22 have dates on them.

23 MR. HULTGREN: Okay.

24 FACILITATOR KERN: This went -- this was the
25 discussion that lasted many, many months, and there was a

1 great deal of editing of these documents.

2 The third one was reuse of national park
3 lands being unrestricted. We felt that if there were going
4 to be seventeen landfills around the Presidio, that was
5 going to be -- a lot of the open space was going to be
6 under deed restrictions or land use controls, and we were
7 arguing that.

8 Number 4, clearing waste from groundwater
9 saturation zones. We all know that the Army filled in low
10 lying areas, holes, basically. That was their place to put
11 garbage and waste.

12 We see that at the large area that was filled
13 at fillsite 6A. That was a creek ravine. Same thing
14 that's going on at landfill 2, fillsite 1, and certainly
15 we've shown recently that this was a low lying area at
16 landfill 8, a very large low lying area at landfill 10 that
17 was filled in over quite a long period of time.

18 Item number 5, recycling. We thought that
19 this would reduce the costs of complete excavation at the
20 time; that, in fact, a lot of materials have been recycled
21 when we found a large piece of concrete.

22 This goes on to talk about costs. The Army
23 was at the time using heavily inflated costs for all the
24 landfill excavations, which made them completely
25 unattractive.

1 We remarked that the Presidio has special
2 status as a national park, and finally the nine criteria of
3 the national contingency plan, both being community
4 acceptance.

5 On that basis -- and we were warned at the
6 time not to even pass a resolution, not to even vote. We
7 were told we couldn't even vote, but we did, and that's --
8 does anybody have any thoughts about this particular -- I
9 have had -- I was just bringing it up to give some
10 background.

11 MR. HULTGREN: I have a thought. My thought
12 is that none of this is relevant to what we are supposed to
13 be doing and positions we're supposed to be taking right
14 now.

15 These are not contracts. They're not
16 agreements. They're not binding on anybody. It's all
17 background eleven years ago. The situation is entirely
18 different.

19 Why don't we bring it up-to-date now and talk
20 about what we've got in front of us today?

21 FACILITATOR KERN: Well, thank you for that
22 comment. I'm -- this is background. It is what we thought
23 at the time.

24 MR. HULTGREN: That's what I'm saying. It's
25 what you thought at the time. It has no bearing -- no

1 direct bearing, no obligatory bearing on what we do now or
2 today.

3 FACILITATOR KERN: It's only that landfill 8
4 is a landfill. So I do have a resolution in front of you
5 that we will take action on, so that's why I brought it up.
6 John.

7 MR. BUDROE: Doug, with all due respect, I
8 disagree with that prior comment. What this is is
9 essentially the past history of how the RAB has looked at
10 landfill sites.

11 MR. HULTGREN: We don't even know how
12 this -- we don't even know how this was passed, how it came
13 up and who wrote it. You say the RAB did, but who voted?
14 What was the vote?

15 MR. BUDROE: If I can finish, please. I'd
16 like to finish.

17 MR. HULTGREN: You explain that to me, then.

18 MR. BUDROE: Will you allow me to finish,
19 please?

20 MR. HULTGREN: Please do.

21 FACILITATOR KERN: Let's just all --

22 MR. HULTGREN: We're all waiting.

23 MR. BUDROE: Calm yourself.

24 This is what -- essentially as I'm reading
25 this -- I wasn't on the RAB when this was done, but this is

1 essentially the ongoing philosophy that the RAB has never
2 changed, to the best of my knowledge.

3 So this has a bearing as to how -- how we're
4 going to consider what the facts are associated with
5 landfill 10 and how the current day facts enter into the
6 precedent and philosophy that the RAB has never altered.
7 It dates back to 1997.

8 So yes, it does have a bearing on the draft
9 resolution that's been brought up.

10 MR. HULTGREN: And I would challenge that,
11 if I may have some time when you finish.

12 MR. BUDROE: Fine.

13 Unless the RAB is going to go ahead and alter
14 this philosophy, which it's entirely within its purview to
15 do, these prior -- the resolution and landfill enclosure
16 principles are still applicable to what we're doing today.

17 They're a general philosophy. They're not
18 meant to be a specific road map.

19 MR. HULTGREN: All right. May I finish,
20 then? May I respond?

21 FACILITATOR KERN: Sure.

22 MR. HULTGREN: There is no evidence that I'm
23 aware of that this document, land closure principles, was
24 ever brought up before the RAB, was ever voted on by the
25 RAB or -- or ever -- or what the vote might have been.

1 If there's that kind of evidence somewhere,
2 let's have it up so we know what we're -- I don't want
3 testimony. I want something hard.

4 Go ahead.

5 FACILITATOR KERN: Well, Julian, I
6 appreciate the strong argument that you're making. Perhaps
7 what I could say is that there are several of us that were
8 there at the time that could --

9 MR. HULTGREN: Yeah. I was there. I was
10 there.

11 FACILITATOR KERN: Okay. So we can at your
12 request go back to the records and find what the actual
13 vote was if that would --

14 MR. HULTGREN: What I'm really saying is I
15 think we're wasting a lot of time by going over -- let's
16 say we all accept these principles, but it doesn't do any
17 good to try to say that these are holy and that we're bound
18 by these and it's for some reason these have the imprimatur
19 of the rules that we have to live by.

20 FACILITATOR KERN: I'm --

21 MR. HULTGREN: Let's go on. Let's say we
22 accept these, but let's get off the issue of trying to go
23 over and over and over them, get to the discussion of what
24 we're going to do as far as landfill 8 is concerned.

25 FACILITATOR KERN: I will. I will certainly

1 do that, and I guess in just responding to you, I don't
2 mean to hold anybody to any of these. This is not binding.
3 This is simply the arguments that we had around landfills.

4 Michelle.

5 MS. PASSERO: I'm actually -- I find this
6 helpful to see what the sentiment was of the past and sort
7 of the general notion that the RAB supports clean closure
8 in the cleanup of landfills.

9 That's what I take this information to mean,
10 and, I mean, I guess going back to a couple of committee
11 meetings ago, we talked about this and we talked about
12 looking at our old resolutions.

13 So I find it very helpful, and I guess I
14 didn't interpret Doug reviewing this as some kind of
15 mandate that we must follow it.

16 I find it very useful background to look at
17 what the general sentiments of the RAB has been
18 historically, and I think that is relevant to this
19 discussion today of what are our feelings around the
20 cleanup of landfills.

21 And so -- so anyway, thank you, Doug, for
22 passing it out and providing some background. I don't take
23 it as some kind of mandate.

24 I find it useful as background for current
25 discussions to see continuity in what we're discussing

1 today compared to the past, and that's where I find it
2 relevant.

3 FACILITATOR KERN: And if that help -- if it
4 helps at all, just let me say I don't -- it's not intended
5 to bind anybody to anything that was done eleven years ago.
6 That wasn't the intent.

7 All right. So now we have -- does everybody
8 have a copy of the actual resolution?

9 MS. FANELLI: I don't have a copy.

10 FACILITATOR KERN: Did the copies keep
11 circulating?

12 MR. HULTGREN: Which resolution are you --

13 FACILITATOR KERN: There is a resolution
14 that says: "Landfills 8 and 10, November 2008."

15 MR. HULTGREN: All right. We did learn that
16 we need to put the dates on these.

17 FACILITATOR KERN: So there are several ways
18 to approach this. We can take the time simply to read it.
19 We could read it out loud.

20 Does anybody have any preferences on that?

21 MR. HULTGREN: Could I ask a couple of
22 questions again? I'm sorry --

23 FACILITATOR KERN: Please.

24 MR. HULTGREN: -- to stick my neck out, but
25 I would like to know -- this is the first time I've seen

1 this.

2 Has it been circulated? And where was it
3 circulated?

4 FACILITATOR KERN: Indeed. Of course it was
5 circulated via our regular e-mail messages.

6 MR. HULTGREN: I apparently didn't get it,
7 because I got the -- the agenda, but there was nothing else
8 with it, and I don't know when I would have gotten this.

9 MS. NEWTON: It was about two weeks ago.

10 MR. HULTGREN: If it was circulated, then I
11 didn't get it. I don't have any real complaint.

12 How was it prepared and when was it
13 discussed, if it has been, or is it tonight?

14 FACILITATOR KERN: Well, the history of this
15 effectively comes from the last few meetings that we've
16 had, and then as our last committee meeting, perhaps Mark
17 might even find it in the notes.

18 I believe I asked, "So what do we want to
19 do?" That was the general question that I posed to the
20 group, and then I proposed shall I write a resolution, and
21 there was general consensus that I draft a resolution,
22 which I then sent around.

23 MR. HULTGREN: Okay.

24 FACILITATOR KERN: I apologize that you
25 didn't get it.

1 MS. CHEEVER: I also think it's very -- too
2 bad that you didn't get it, Julian, but just for the
3 record, we've gotten two versions of it. It's been sent
4 around twice. People have had two chances to comment by
5 e-mail.

6 I think it would be great to make sure that
7 we have our e-mail address is right. Sorry.

8 FACILITATOR KERN: Absolutely. It's
9 critical that everybody would have gotten it. By no means
10 is this intended to be a surprise. In fact, we do
11 everything we can to avoid that.

12 So the genesis of this was an effort to
13 comment and then to take a position. People have been
14 commenting on this for the last several weeks and months.
15 This is a way of distilling those thoughts.

16 So I'd just ask people to take a moment and
17 read it, and then perhaps I'll read it through unless there
18 are objections to that.

19 MS. NEWTON: Read the whole thing?

20 MS. SEGAL: Do you want our comments as you
21 go through the bullets or --

22 FACILITATOR KERN: Well, I'm proposing that
23 as a way so that if people hear it out loud, they will
24 perhaps then -- actually it will register whether they have
25 any particular objections. I don't have to do that.

1 MS. SEGAL: Well, I know you have gone
2 through the second iteration. Some words, but I do have a
3 couple comments --

4 FACILITATOR KERN: Sure.

5 MS. SEGAL: -- that might be under the guise
6 of wordsmithing, however.

7 FACILITATOR KERN: Absolutely.

8 MS. SEGAL: Has everyone had a chance to
9 look at it?

10 On the containment of waste -- the third
11 bullet, the third whereas, "it is likely to be inconsistent
12 with the visions, goals and reuse scenarios of the park,"
13 do we want to have something stronger than likely or -- or
14 may?

15 If people like likely, it jumped up at me as
16 being --

17 FACILITATOR KERN: I think the reason
18 that -- that I left that like that was that the RAB has in
19 particular instances, based on certain specific other
20 considerations, such as the commissary area which has a lot
21 of what appear to be contamination, there's a coal layer
22 there.

23 The RAB says let's don't excavate all that
24 material out until such time as we know that might be a
25 marsh or there was a whole set of site specific

1 circumstances there.

2 At landfill 10, we're not proposing to
3 excavate all of that material because in that particular
4 case, it's quite consistent with the goals of that site.
5 It's to be used as a parking lot and a lawn over at the
6 PHSH fill area.

7 So that's why that word was chosen, but
8 certainly I -- we'd be open to other words.

9 MS. SEGAL: But this resolution, it's on the
10 one hand at landfill 10, containment with an additional two
11 feet of fill. I mean -- I mean, this resolution has two
12 different scenarios for landfill 8 and landfill 10.

13 FACILITATOR KERN: There are. There are two
14 different scenarios.

15 MS. SEGAL: Well, I don't particularly like
16 the likely be consistent, but if everybody else is okay
17 with it, then I would be okay with it.

18 And the other one on the principles that are
19 adapted eleven years ago, at least discussed formally in
20 terms of recycling, I just wondered on the sixth bullet,
21 the whereas, the possibly excavation disposal would be
22 substantially reduced.

23 Again, it's one of those kind overbroad
24 scenarios and I'm not sure that how else --

25 FACILITATOR KERN: Would you prefer

1 something like may be reduced instead of -- what is --

2 MS. SEGAL: It's just such a specific
3 they're going to be substantially reduced if you do
4 that --

5 MS. MONAGHAN: It could be.

6 MS. SEGAL: -- that we could back that up.

7 MS. MONAGHAN: It could be, not would be.

8 MS. SEGAL: I think that could, unless it's
9 too wooshy. I'd be happier with could than would. If you
10 know for sure, then I'm happy with that.

11 FACILITATOR KERN: Well --

12 MS. SEGAL: I like repeating the principles
13 of the recycling part, but I'm not sure --

14 FACILITATOR KERN: I'm happy to change it to
15 could. I don't know the exact cost of the savings of
16 taking the asphalt from landfill 8 and moving it or to
17 landfill 10, but -- and then we could say well, what is
18 substantial.

19 MS. SEGAL: Right. The principle of the
20 recycling part has been -- you know, we already endorsed
21 that principle eleven years ago, so --

22 FACILITATOR KERN: So would you like to say
23 could be reduced or could be substantially reduced?

24 MS. SEGAL: I would say substantially.

25 FACILITATOR KERN: Any objections to

1 changing it to could?

2 And back on the third bullet, would you like
3 to say maybe instead of is likely to be? That's fine with
4 me.

5 And what do other people think?

6 MS. CHEEVER: How about the word generally.
7 Maybe that's --

8 FACILITATOR KERN: Is generally
9 inconsistent? Would that work for you?

10 MS. SEGAL: Fine. Whatever.

11 FACILITATOR KERN: Without objection,
12 instead of it's likely to be generally inconsistent.

13 MS. FANELLI: I have a question if that's
14 all right.

15 FACILITATOR KERN: Yes.

16 MS. FANELLI: I'm just looking at the one,
17 two, three, fourth whereas.

18 FACILITATOR KERN: Yes.

19 MS. FANELLI: And you're referring to the
20 Park Service and the Trust discussion or their
21 understanding of the conceptual plan.

22 I'm just asking for clarity on that, what
23 you're actually referring to.

24 FACILITATOR KERN: Institutional controls,

25 MS. FANELLI: No. I'm sorry. "The

1 community based details offer the" -- one, two, three,
2 fourth from the bottom.

3 MS. SEGAL: Oh, from the bottom.

4 MS. FANELLI: I'm just wondering what you're
5 actually referring to.

6 MS. NEWTON: I questioned that one, too, the
7 ninth and the tenth, but I'll start with the tenth.

8 MS. SEGAL: Whereas community members.
9 Where are we?

10 FACILITATOR KERN: So we're looking at the
11 fourth --

12 MS. SEGAL: From the bottom.

13 FACILITATOR KERN: -- whereas from the
14 bottom.

15 MS. FANELLI: Fourth paragraph from the
16 bottom.

17 FACILITATOR KERN: Yes. Exactly. Fourth
18 paragraph from the bottom. "Community members of the
19 Restoration Advisory Board believe that recently emerging
20 details of the landfill 10 remedy unacceptably alter the
21 spirit and intent of the Presidio stakeholders' hard-won
22 landfill 10 conceptual remedy agreement, just prior to
23 release of the decision document."

24 MS. FANELLI: I was just asking for clarity
25 what you actually are referring to there, specifically

1 referring to.

2 FACILITATOR KERN: Well, in a nutshell, I
3 would say that the conceptual agreement at landfill 10 was
4 to cut back the slope, put the material on top of the deck
5 and then put a vegetative cover.

6 MS. FANELLI: Yes.

7 FACILITATOR KERN: So it's my understanding
8 that we may be moving material down the slope into areas
9 where there could be habitat and other effects.

10 MS. FANELLI: Well, there's nothing moving
11 outside of the existing landfill. Everything is within the
12 existing footprint of the existing landfill 10. Nothing's
13 moving outside on to any existing habitat.

14 If that helps clarify, but that's why I was
15 asking.

16 FACILITATOR KERN: That's not exactly what I
17 was -- there are plants currently on the landfill.

18 MS. FANELLI: Right.

19 FACILITATOR KERN: Some of that is --

20 MS. FANELLI: All of the plants on the
21 landfill in the conceptual design was clearing through to
22 eight inches, everywhere within the footprint of the
23 landfill, and then grading the steep slope within that
24 footprint.

25 MR. ULLENSVANG: I thought it was everywhere

1 where there was some native plants.

2 MS. FANELLI: Everywhere where that was not
3 invasives. I don't know if they've been identified. My
4 understanding is they have been, but within the design
5 drawings from the concept, nothing's been moved outside of
6 those boundaries. Everything is still happening in those
7 boundaries.

8 Just to clarify.

9 FACILITATOR KERN: I'm simply trying to
10 clarify my current understanding of it is when material is
11 shaved off the top --

12 MS. FANELLI: Yes.

13 FACILITATOR KERN: -- that's where it is
14 it's too steep and brought down to the bottom which is not
15 what I was thinking was going to happen. That any material
16 shaved off the slope would be taken and put up on the top
17 deck.

18 MS. FANELLI: I don't know if there's -- if
19 these design details, but the conceptual plan -- I don't
20 want to side track your discussion. Go ahead and have your
21 discussion.

22 MS. NEWTON: That's a question I was going
23 to ask, anyway.

24 Is that the emerging detail?

25 FACILITATOR KERN: Right.

1 MS. NEWTON: And how did you get the
2 emerging detail?

3 FACILITATOR KERN: Well, we have been in
4 meetings -- and this has been a point that has come up
5 quite recently -- that I've had an objection to, and I
6 haven't really been able to explain it to the RAB in
7 detail.

8 We may not even have enough drawings yet to
9 show up, but I was in a meeting where I asked a lot of
10 questions that could not be answered, and so the reason
11 that I put this in here was that I've been in these
12 meetings now for ten months and I've been following it very
13 closely and here is a detail point that I think is worth
14 your consideration, and what that is is if we're taking
15 material from the top and actually moving it down the
16 slope, what impact it will have on then plants that were
17 growing down there.

18 Yes, they would be removed down in the lower
19 end in order to do this remedy, but what impact will that
20 have on the plants that would be put back in to have a
21 layer of waste down at the bottom end of the slope?

22 MS. FANELLI: The plans are -- we have a
23 conceptual design agreement that includes an outline of the
24 footprint of the landfill with the statement and the true
25 intent to preferentially cut back the slope where we can,

1 preferentially cut it to generate material, to lessen the
2 great and consolidate it, but we're grading the slope
3 everywhere, and in some places, we will preferentially cut,
4 but material is going to be moved around.

5 As a matter of fact, when we preferentially
6 cut and we smooth, we're going to be removing big chunks
7 and putting dirt back.

8 But to be very clear, there's grading where
9 we have a consensual design at a thirty percent design
10 standard. There has been no change in that concept.

11 There's been no change in the footprint of
12 the landfill. We are not working outside the toe of the
13 landfill. We are trying to grade the slope within the
14 landfill to our stable configuration, and we're at the
15 thirty percent design moving towards the sixty percent
16 design.

17 MR. WHILDEN: Is material being moved
18 downslope?

19 MS. FANELLI: The material is being moved in
20 many ways all over the slope. We're taking a steep slope,
21 we're temporarily cutting and compacting it.

22 Material will be moving everywhere, because that's
23 how we grade, and it's not -- you can't -- it's a
24 constructability issue.

25 We are not wholeheartedly taking chunks of

1 waste from the top and parking it down at the toe. No,
2 that's not what we're doing.

3 The grading plans -- I'm -- I don't have the
4 grading plans here to show you. Obviously we can discuss
5 those at some point in time. I just wanted to clarify what
6 you think was going on and -- with that.

7 FACILITATOR KERN: There are other --
8 thoughts.

9 MR. HULTGREN: Are we talking about the
10 fourth paragraph up from the bottom?

11 MS. FANELLI: That's correct.

12 FACILITATOR KERN: Yeah.

13 MR. HULTGREN: My comment is this: If we're
14 having this much difficulty trying to figure out what it
15 says or what the thrust of it is, it's not very effective
16 as part of a document like this.

17 I think -- I think I understand what you're
18 saying and I think it should be reworked so that it says
19 what you're thinking rather than this, which is really very
20 vague.

21 FACILITATOR KERN: All right.

22 There is another point that I'll add into
23 this is. When it is was proposed, well, could we use fresh
24 or clean soil to fill in areas rather than moving waste
25 down.

1 As far as I know, that wasn't something that
2 the Trust wanted to do.

3 MS. FANELLI: The Trust is -- to respond to
4 this comment that has come up, again, we're in design.
5 This is a design issue to get the slope to a table grade
6 configuration.

7 The material will be moved around, but we are
8 documenting from the concept -- we are -- are doing our
9 best now, because it's a concern to document those changes.
10 They are design details.

11 How much of the slope is 1.75 to 1? How much
12 of the slope is 2 to 1?

13 I can assure you that from my perspective, we
14 are living a hundred percent to the intent of the
15 conceptual design, which is preferentially cut the slope to
16 work only within the toe of the existing landfill, to clear
17 the invasives where they are and to put back a vegetative
18 cover in the steep area of the coastal scrub and in the
19 lower areas of a mixture of riparian and some of the design
20 details that we showed you.

21 But it's in design, and in design, we are
22 coordinating it with the top deck. We are coordinating it
23 with the overlooks that are planned for the future, and
24 there's a lot of -- there's a lot of areas where there's
25 constraints, and in design, we work through those

1 constraints -- where can he cut, where can I not cut and
2 meet our agreements -- and it's an engineering issue.

3 I'm not a civil and I don't stamp the
4 drawings, but that's what our SDS Engineers do.

5 So we will be talking about all those
6 different cuts and fills, and it will continue to evolve
7 until we get the final set. That much I can tell you. It
8 will not be consistent from -- from thirty to sixty to
9 ninety.

10 There will be small deviations as we get
11 design details on controls on the pathways, the trails, the
12 top and constraints.

13 But we're -- as far as I'm concerned, we are
14 definitely living to the intent of the consensual design.

15 And all that information, you should -- the
16 design memo, that can be sent. You have access to it.
17 It's on the web page. The design memoranda, it has that
18 conceptual design, and I think you have that thirty
19 percents, too.

20 FACILITATOR KERN: It's just been my -- my
21 questions at that last meeting where nobody could really
22 say what I was saying was incorrect.

23 I mean, it wasn't -- nobody said, "oh, darn
24 Doug, that's absolutely wrong. We're going to take all
25 that material and we're putting it up on the top."

1 MS. FANELLI: Because a hundred percent,
2 we're not. I think at the conceptual design, we presumed a
3 cut of about 7,000 yards and import of about a thousand
4 yards on the steep slope.

5 We also assumed up to two foot of cover on
6 the toe if it was needed, and the question about it being
7 needed was based on the natural resources folks' assessment
8 on whether the existing were healthy.

9 We are still living with that intent. We are
10 going to still put two -- plus or minus two foot --
11 whatever's needed, up to two foot of sand on the toe, and
12 we're doing some calculations and we're doing those
13 calculations.

14 Is it 6,500 yards of design, or is it 8,000
15 yards, and we'll bring in the thousand yards of fill still.
16 We are not not going to do that where we need to.

17 FACILITATOR KERN: I guess the way I would
18 distill this, Julian, to reflect back on your comment is
19 I'm really unclear what is being proposed.

20 So that is why it leads to the be it
21 resolved, the first one of those, which is the second
22 paragraph from the bottom which says -- and I can tell -- I
23 can explain this, but it does say put two feet of clean
24 soil over the full slope.

25 Why would I propose that? I simply no longer

1 feel like I really understand where this material is going
2 to be moved around.

3 I'm not sure of what the sampling plan is
4 going to be. I'm not sure that I know enough to go out
5 into the public and say this is going to be protective.

6 I can say that our current sampling indicates
7 that it would probably be okay --

8 MS. FANELLI: Right.

9 FACILITATOR KERN: -- but what I don't know
10 is when you cut back that slope, what kind of material we
11 would find.

12 MS. FANELLI: But I do know that the RAP
13 does include stamping the slope once we do the cut, and
14 it's presuming fifty foot centers to confirm that the waste
15 characterization is still as we have characterized it, and
16 we've characterized it two different ways.

17 We've characterized the existing surface of
18 the slope to two feet, and then we've characterized that
19 waste as a mass.

20 That information is in the F/S. They're very
21 similar numbers. The difference is probably due to the
22 number of samples that we have, 24 on the slope versus 109,
23 a hundred, something like that when you do the mass of the
24 waste material. But they're very close.

25 So there is going to be confirmation

1 sampling, and --

2 FACILITATOR KERN: I know.

3 MS. FANELLI: -- by any account, more of the
4 slope will be covered because the toe was already committed
5 to be covered with up to two foot of material if needed.

6 MR. ULLENSVANG: But there's less toe that's
7 suitable for the type of cover that you're proposing now at
8 thirty percent level than there was at the concept level.

9 MS. FANELLI: I'm not sure that's true.
10 This is because design is complicated and there's a base
11 cut for stability and there's a final grade plan, and I
12 think those two elements are what we're looking at as we go
13 forward down to sixty to address the --

14 MR. ULLENSVANG: It's -- based on the
15 documents that you've shared with the RAB and Park Service,
16 it is true that there is less area that is suitable,
17 according to your engineers.

18 MS. FANELLI: I'm not sure that I'd a
19 hundred percent agree. I would say that the configuration
20 because of the grading has changed within the footprint.
21 I'm not sure I would agree that there's less slope for
22 cover.

23 MR. ULLENSVANG: I would agree that the
24 Trust has not proposed that it expand beyond the existing
25 foot print.

1 MS. CHEEVER: Well, I kind of agree with my
2 fellow members who say that this item is kind of vague. So
3 I guess I would like to see it either rewritten -- it might
4 take some thought -- and we couldn't vote on it until next
5 month.

6 I would like to have it be more specific, or
7 is it possible that the ideas in this, what we want is
8 contained elsewhere in the resolution, and so we just have
9 had second to last item, therefore be it resolved with up
10 to two feet.

11 Could this fourth to last item just be
12 omitted?

13 FACILITATOR KERN: It could be omitted.
14 That would be a possibility.

15 MS. CHEEVER: There's possibly other items
16 in this lead-up to the therefore.

17 FACILITATOR KERN: Basically the idea of the
18 fourth paragraph from the bottom is -- and you're telling
19 me it's not well stated. I appreciate that.

20 It's -- we don't exactly know what we're
21 signing up for, and I think it's really important.

22 I think what goes on the slope is the remedy,
23 and I'd really like to know what this is.

24 MS. CHEEVER: That same logic of us as
25 members, we don't know what we're signing up the whole

1 thing.

2 MR. HULTGREN: Maybe you've hit on something
3 there, that we'd like to know what the remedy did I is.
4 Maybe this -- this second paragraph up the resolution
5 should -- should say something like that. We would -- we
6 can polish it, but say that we would -- we resolve that the
7 Presidio -- we request the Presidio to provide us with
8 information regarding what they do intend to do as far as
9 the slope, if that's the issue of that landfill 10 or
10 something, whatever we want to find out. Ask them
11 about that, because we really don't know enough to draft
12 something that's meaningful here otherwise.

13 FACILITATOR KERN: Well --

14 MS. NEWTON: That's sort of your point,
15 putting this together to make sure of the things you're not
16 sure of.

17 There's some issues out there that haven't
18 been clarified to this group that we'd like to have done
19 before it goes out to the public. That's your point in
20 general.

21 FACILITATOR KERN: Well, it is going to go
22 out to the public, and I don't know that we're going to
23 know the answer to this before it goes out.

24 MS. FANELLI: Final design won't -- I can
25 guarantee you the final design with the final contractors

1 isn't going to be completed until probably the January time
2 frame.

3 FACILITATOR KERN: So --

4 MS. FANELLI: I view this as sort of a
5 design issue. I do appreciate questions or comments,
6 things that are in the RAB or the F/S that describe what
7 the remedy is, that are unclear or not good, then that's a
8 real legitimate comment and I would like to hear it.

9 MS. PASSERO: Just trying to follow up on
10 this one theme.

11 We feel that it's critical to have greater
12 clarity or certainty with respect to this piece here, and
13 so, you know, maybe we can phrase it in that manner, and I
14 had one other recommendation, but I don't want to --

15 FACILITATOR KERN: Yes.

16 MS. PASSERO: I actually -- I think it's
17 great to have these specifics, and for me, I also see
18 this -- this issue as part of the larger theme of clean
19 closure of landfills, and so kind of tying back to what I
20 was saying before about this older resolution.

21 It's not a deal breaker for me, but it seems
22 like it would be a value of having the whereases saying
23 that the RAB did endorse or adopt a resolution in support
24 of clean closure of landfills, and that, you know -- I
25 think one of the themes -- because it's tied to this larger

1 theme.

2 So just having that in there is showing that
3 this is -- this has been an ongoing value, unless
4 others -- I don't want to speak for everybody, but it's a
5 the way I feel, and I think going back to that committee
6 discussion we were having is, you know, testing the
7 sentiment of the RAB to see if that's still something that
8 everyone feels.

9 Because I think that's an issue that may -- I
10 think will continue to come up as we're looking at
11 landfills and the remedies.

12 FACILITATOR KERN: John.

13 MR. BUDROE: Yeah. Well, I think it's -- we
14 have two different ways to look at that. One is that you
15 can look at it as we're going to do clean closure unless
16 you can make a compelling argument to not do clean closure
17 or you can do it the other way around.

18 We're going to go the cheapest route possible
19 unless you can make a compelling case for clean closure,
20 and I think what the RAB has done in the past with the
21 landfill closure principles in the prior resolution is gone
22 ahead and gone on record as favoring clean closure unless
23 there's a compelling argument to be made against it.

24 So I think that what we're talking about
25 ought to be taken in that context.

1 FACILITATOR KERN: So so far, I've got a --
2 in the third whereas, generally instead of "is likely to
3 be," I've got a "could" on the sixth whereas, got an
4 addition of a whereas referring to the RAB having
5 previously adopted a resolution, the wording of that will
6 need to be reviewed, and the second from the bottom "be it
7 resolved" would be changed to "request to provide greater
8 clarity, certainty and other information," which I
9 think --

10 MS. CHEEVER: What would happen from the
11 fourth from the bottom?

12 FACILITATOR KERN: The fourth from the
13 bottom is a little bit in limbo at the moment whether it be
14 removed entirely or reworded so that it was more clear,
15 less vague.

16 Barbara.

17 MS. NEWTON: I have just a question on the
18 one before, the fifth one from the bottom or the ninth one
19 from the top.

20 I've been away for a few weeks and I've been
21 reading all my e-mails. I may have missed something in a
22 meeting. "Whereas, community members of the Presidio
23 Restoration Advisory Board have recently demonstrated that
24 the historic merchant marine cemetery was originally
25 located in a depression where groundwater is likely to

1 flow."

2 What -- what was recently demonstrated or
3 what community members recently demonstrated what? Did
4 something new happen that I missed?

5 FACILITATOR KERN: Something -- it
6 wasn't -- the best way to say this is the Nike facility was
7 excavated, as you saw on Eileen's slides, for a RAP3 site
8 and we found some colma formation, sandstone, bedrock close
9 to the surface just to the north of landfill 8, which
10 caused me to thinking in these meetings I wonder if that's
11 what's controlling a possible groundwater divide right in
12 this area that's been mapped previously, but never really
13 explained before.

14 Then we got a digital map of the 1870
15 topography and overlaid it over the site, and right where
16 the cemetery is, it showed a depression.

17 So what that meant was that the cemetery was
18 placed in a low lying area where groundwater could likely
19 be flowing through that area.

20 Potentially -- because there's still now on
21 top of it and there's shallow groundwater flowing from the
22 north of the site, it's possible that there -- the
23 groundwater's flowing through waste material and not being
24 monitored.

25 MS. NEWTON: Wasn't this -- this is real

1 recent, then, that you did all this?

2 MS. MONAGHAN: Two weeks ago.

3 MS. GEE: The committee meeting.

4 FACILITATOR KERN: Pretty recently. Within
5 the last two or three weeks.

6 MS. NEWTON: And was Bob involved in this?

7 MS. FANELLI: I think -- the groundwater is
8 discussed in the F/S and the RAP, as well, but I just
9 wanted to say that I think the Trust has had consultants
10 look at this, and at this point, it's our opinion that
11 groundwater is adequately characterized, but I just wanted
12 to make sure that was clear that you'll find a description
13 in there, but that's not to minimize your hypothesis as to
14 what's going on.

15 FACILITATOR KERN: Well, thank you. I
16 appreciate that, but I would also say since you brought it
17 up that those very same consultants also have their cross-
18 sections wrong, which I corrected.

19 MS. FANELLI: You found a mistake.

20 FACILITATOR KERN: And they also admitted
21 that the topography could be an indicator of what was going
22 on in the subsurface, that that ridge on the south side of
23 the landfill 8 could be a basement high.

24 MS. FANELLI: It could be, but I don't think
25 that negates our feeling that the groundwater's adequately

1 characterized.

2 MR. WHILDEN: I walked the site with Doug
3 and, you know, the topography look at the maps from the
4 groundwater wells, and there's only one well that's even
5 close to that area, and given the colma formation being
6 close to the surface or subsurface, there's a good chance
7 that well is missing some of the groundwater flow, and I
8 think that Doug and I talked about maybe the need of doing
9 some ground penetrating radar surveys, essays to understand
10 where that groundwater is.

11 MS. FANELLI: I guess I'm not trying to make
12 an argument, but I just point you to look at the
13 description that's in the documents, that we have
14 described.

15 We have two upgradient wells and three down
16 gradient wells, and topography can control flows. In this
17 case, we're looking at porous, a primary flows through the
18 pores of the colma formation.

19 FACILITATOR KERN: It does definitely get
20 into a technical issue which to a large degree I've tried
21 to avoid here, and it's also true that this has come up
22 late.

23 So we haven't really been able to review it
24 in detail, but that's why it may be a surprise, and you're
25 right. It has been raised late in the game.

1 So it's a -- a comment, the details of which
2 we'll be writing up to present as a comment about the
3 groundwater with all the technical supporting information.

4 So this is intended to summarize that, but
5 you haven't really seen the details, yeah.

6 So given that you haven't and that you would
7 have to take that on fate, what I would propose is that I
8 would show you, and anyone else, before we were to vote on
9 this that evidence that you could see before you had to
10 take a vote on, on something like this.

11 So I'll put a question mark next to that one
12 as something to be reviewed.

13 Julie.

14 MS. CHEEVER: Well, I have yet another
15 comment which I'm sorry I didn't bring up sooner, but in
16 some ways, Julian's earlier comments made me think about
17 this.

18 The one, two, three, four, five, six, seven,
19 eighth -- I think the eighth whereas down about studies
20 recommended the removal of landfill 8 waste.

21 That steadily is the same language of the
22 steadily, but the one above steadily referring to maybe two
23 or three years, whereas this steadily refers to fifteen
24 years back, and I'm wondering if some people might feel
25 better if we took out the reference to something fifteen

1 years back and something more present, and also if we
2 measure more directly whereas community members of the
3 restoration are concerned that leaving waste -- that it is
4 in appropriate to leave debris above a historic cemetery.

5 Because we -- this doesn't actually say that.
6 Maybe people don't want to say it that directly.

7 So Julian, would you feel better if we took
8 out the reference to fifteen years ago and talked more
9 about how we feel now?

10 MS. MONAGHAN: I think it's added back in.

11 MS. CHEEVER: Where? So --

12 MR. HULTGREN: Does it really add anything
13 to say fifteen years? More like twenty years, what about
14 twelve years?

15 MS. CHEEVER: That's sort of what I'm asking
16 you, because I'm referring to what you said earlier.

17 MR. HULTGREN: Did I say -- yeah.

18 MS. KRAMER: I think it would carry more
19 weight if you give some of the history of it, too.

20 MR. HULTGREN: It leaves it open then for
21 somebody to question it. It hasn't fifteen years or it was
22 fourteen or we don't remember anything like that. You
23 know, it just -- it doesn't seem to be a factual statement
24 that it needs to be.

25 MS. CHEEVER: My concern might be -- so I

1 would say our concern that it is inappropriate to leave
2 debris above a historic merchant marine cemetery. But
3 that's just a thought. I'd be glad to hear what other
4 people --

5 MS. PASSERO: I'd support that. I like it.

6 FACILITATOR KERN: I saw Gloria and another
7 hand.

8 Did you have --

9 MS. GEE: Well, if you wanted to tweak the
10 thing about the time frame, one possibility to say that
11 instead of specifying for almost -- if you say for more
12 than ten years if you want to leave the date -- the period
13 in there or leave it, as you said, just opt out.

14 MR. HULTGREN: If we say steadily it goes
15 back forever, that's even better than ten years or fifteen
16 percent years.

17 MS. GEE: I said more than ten years.

18 MR. HULTGREN: If we recommended it
19 steadily, we've recommended it since the beginning of time.

20 MS. CHEEVER: So you'd leave steadily in
21 both times.

22 MR. HULTGREN: Consistently. That's a good
23 word.

24 MS. NEWTON: Historically.

25 MR. HULTGREN: Consistently is better.

1 FACILITATOR KERN: I'm changing the steadily
2 to consistently, and without objection, I'm certainly not
3 wedded to the fifteen years.

4 MS. CHEEVER: What about the wording that
5 it's inappropriate to leave debris --

6 FACILITATOR KERN: I've added that. "Our
7 concern is it's inappropriate to leave debris" --

8 MS. CHEEVER: Above.

9 FACILITATOR KERN: -- "above the cemetery."
10 Yes. Have consistently recommended that it is
11 inappropriate to leave debris, or just take out the --

12 MS. SEGAL: Recommend the removal because
13 it's inappropriate.

14 MS. CHEEVER: That was going to be big
15 concern.

16 FACILITATOR KERN: All right. Well, this
17 needs some reworking, and we're obviously -- I don't think
18 we're going to get to the vote.

19 MS. SEGAL: I would just point out that
20 because there's a lot of whereases, basically it's a
21 resolution about landfill 8 and landfill 10. There's two
22 there was at the bottom.

23 Whatever language changing the whereases ass
24 has to be consistent with whatever the comment. Therefore
25 be it resolved. Therefore be it resolved, those are the

1 two things that you're asking.

2 FACILITATOR KERN: Are there -- is there any
3 feeling that this should have been divided into two
4 separate documents? Just leave it in one?

5 MS. PASSERO: I think it's fine in one.

6 FACILITATOR KERN: Okay. So then -- yes,
7 Jan.

8 MS. MONAGHAN: I thought sort of -- because
9 we have thirteen community members here tonight and if we
10 have another meeting this year, we may not get this kind of
11 turnout.

12 I was wondering if people felt that we were
13 willing to kind of do a straw vote about how they feel
14 about the resolution and the direction it's going, because
15 what we're trying to figure out is do people on the RAB
16 today, community members support the resolution the way it
17 was organized in the way we felt about it fifteen years
18 ago. That's my opinion, anyway.

19 So I sort of would like to know if people are
20 willing to say yes, we're going in the right direction, or
21 no, I don't agree with this.

22 FACILITATOR KERN: Does everybody understand
23 the -- what Jan is asking for? Would you be willing to do
24 a show of hands that we're generally going in the right
25 direction?

1 MS. FANELLI: I just want to -- is it
2 specifically about the old resolution or is it about the
3 new resolution?

4 MS. MONAGHAN: It's about the new
5 resolution.

6 MS. KRAMER: Landfill 8 and 10.

7 MS. MONAGHAN: Is this representing people's
8 feelings about this matter, or when we come right down to a
9 vote, are we not going to have the votes that we need?

10 FACILITATOR KERN: Right. How do people
11 feel about taking that kind of temperature of the group?

12 MR. WHILDEN: Sounds good.

13 MS. CHEEVER: Do you want a motion?

14 FACILITATOR KERN: A motion would be great.

15 MS. CHEEVER: Well, I move that the RAB
16 state that it agrees with the general direction of the
17 resolution, although more refinement is needed.

18 MS. BLUM: Second.

19 FACILITATOR KERN: Any discussion? All in
20 favor, say aye, raise your hand.

21 (The majority of the hands were raised).

22 FACILITATOR KERN: Any opposed?

23 MR. HULTGREN: I'm opposed. I don't know
24 what direction this is going. I can't vote on it, really.
25 Abstained, I guess.

1 FACILITATOR KERN: Very well. All right.
2 Well, the motion carries, but what I want to say to you,
3 Julian, is I want to make sure that you're getting these
4 e-mails, so I'll be in touch with you directly about that
5 and working on the fine language for your review in a
6 further e-mail.

7 All right. Let's set that aside without
8 objection since we're rapidly approaching the end of our
9 evening.

10 Quick update on outreach efforts. Eileen and
11 I have been attending a couple of meetings. We went to the
12 Planning Association for Richmond meeting and the
13 Neighborhood Association for Presidio Planning. We've been
14 at those thus far.

15 We've talked a little bit about comment
16 period, that if you have a request to extend the comment
17 period or to request an alternate date for a public
18 meeting, those should be sent on to Bob Boggs.

19 MS. CHEEVER: Eileen, I know that your site
20 presentation had something about beginning in January. The
21 site presentation mentioned something about beginning of
22 January.

23 MS. FANELLI: Tree removal.

24 MS. CHEEVER: Would extending the comment
25 period get in the way of progress?

1 MS. FANELLI: Of the tree removal in
2 particular? No. Because we're doing tree removals.

3 MS. CHEEVER: Will it work on design?

4 MS. FANELLI: Potentially. My goal is to be
5 in construction in April, and the schedule is critical.
6 Comments will -- that come in are certainly appropriate and
7 they will be responded to in the comments response
8 document, and the DTSC -- my understanding is will issue
9 this comment response document and then whatever questions
10 they have on the RAB.

11 MS. CHEEVER: DTSC will issue the comment
12 response.

13 MS. FANELLI: We help them write it, but it
14 is their document, because it's their CEQA process. We
15 provide them the -- some of the labor and resources to get
16 that document, but it's heading -- that whole piece is
17 headed up by Bob and a gal named Laura who worked on RAP3
18 have been working on these CEQA and will work on the
19 comment response document, as well.

20 I'm using that term because that's the term
21 I'm used to. Brian, maybe you can correct me. DTSC
22 doesn't call it a comment response document.

23 MR. ULLENSVANG: Call it response to
24 comments, and it would -- in this case, include both
25 comments on the RAP as well as CEQA.

1 So the Trust would be involved in writing
2 those comments. Typically has been.

3 MS. FANELLI: Exactly.

4 MR. ULLENSVANG: And it wouldn't be written
5 by the state CEQA folks.

6 MS. FANELLI: Right. There would be the
7 technical piece, but the process from the CEQA process is
8 run through the state CEQA people.

9 MR. ULLENSVANG: But from a RAP process,
10 it's not.

11 MS. FANELLI: Understood.

12 MR. WHILDEN: And the CEQA document is
13 written after the RAP is done.

14 MS. FANELLI: It's an appendix to the RAP.
15 So you'll see it there.

16 I'm concerned about schedule, because we have
17 a program that is behind schedule and overbudget.
18 Schedule's very critical. So my plan is to do everything
19 that we can do to be in construction in April.

20 I cannot be in construction, obviously, if
21 the RAP is not certified. So those are the things that
22 we'll be working through.

23 MS. MONAGHAN: Given the meeting schedule
24 that we have -- because of November and December being kind
25 of a difficult time to meet -- would it be

1 possible -- if we extended comment period to January, would
2 we have a chance to review the sixty percent construction
3 documents before we would have to turn in our comments? Is
4 that possible?

5 MS. FANELLI: You know, I'd hesitate to say
6 that we have a working session on sixty percent design
7 drawings.

8 Because I'm certainly happy to disclose and
9 share information and do presentations. That's not --
10 that's not an issue --

11 MS. MONAGHAN: Yeah.

12 MS. FANELLI: -- but to get at -- to spend
13 the time to get at some of the constructability issues and
14 do detailed review of specifications and construction
15 drawings, I think that's a big effort.

16 MS. MONAGHAN: Mm-hmm.

17 MS. FANELLI: We are having a sixty percent
18 design review meeting sometime in December. That's the
19 goal. I'm certainly open to having it with a larger group.

20 I just would like to plan that a little bit
21 to make sure that it was focused and wasn't -- that
22 everybody got out of it what they needed.

23 So if we can disclose the right information,
24 but that we didn't use an excessive amount of resources in
25 the process.

1 But I would be certainly open to having a
2 presentation in more detail than maybe what we can do here
3 on the design if that -- if that helps.

4 We tried to have a little pre-design one here
5 and that was pretty high-level, so --

6 MS. BLUM: I have a question. It seems to
7 me the key is in the remedy than the design. It sounds as
8 if it's really -- once you've outlined your design -- once
9 you've agreed -- once the Trust has set up a remedy, then
10 the design is for details that may or may not change as
11 time goes on.

12 So my question really is: What influence do
13 we have over the remedy? Since it seems that the Trust has
14 already decided the remedy.

15 MS. FANELLI: The remedy is proposed in the
16 RAP, and when the RAP's approved, then that's what we'd be
17 implementing.

18 The Trust has in good faith gone ahead and
19 done the design contemporaneous. The purpose of doing that
20 is it helps everybody involved understand what we mean when
21 we say a vegetative cover, and it helps make our documents
22 a little more streamlined than they may be historically
23 have been.

24 MS. BLUM: I wasn't asking my question
25 correctly. It seems like the RAP doesn't like the landfill

1 8 remedy very much, and I'm wondering what influence our
2 comments might have on changing the perceived --

3 MS. FANELLI: At this point --

4 MS. BLUM: -- action.

5 MS. FANELLI: -- the Trust position is that
6 the most environmentally sound, financially sound thing to
7 do is to cap landfill 8 in place, and it's based on a whole
8 variety of reasons that we've talked about on and off.

9 MS. BLUM: Which I think some of us think
10 are debatable.

11 MS. FANELLI: That's fine. That's the
12 public comment process.

13 At this point, we understand that concern and
14 we have modified the Draft RAP and we anticipate getting
15 comments from you on many of the issues that have come up
16 tonight, and then I assume that the burden will be for us
17 to respond adequately or DTSC to ask us to respond to those
18 comments.

19 FACILITATOR KERN: We need to move on so we
20 can get out tonight.

21 Item number 6, without objection, is the
22 regulatory agencies. Not hearing a lot, move on to number
23 7, any new business this evening.

24 Action items, there's some work to be done on
25 this resolution to make sure everybody gets it, check in

1 with everybody.

2 And agenda items for upcoming meetings, we'll
3 likely continue these discussions.

4 MS. NEWTON: Can I request that in the next
5 meeting regarding all the landfill 8 and 10 issues we've
6 talked about today, can we get an official opinion on these
7 new emerging detail items from the regulatory people and
8 from Brian on their feelings on the new things that you've
9 found and confirming that they agree or disagree with your
10 feelings on these issues? Would that be possible?

11 FACILITATOR KERN: We can certainly
12 request ---

13 MR. ULLENSVANG: Yeah.

14 FACILITATOR KERN: -- that they comment and
15 respond.

16 MR. ULLENSVANG: I will not be here at the
17 December meeting, though.

18 MS. CHEEVER: Maybe the committee meeting.

19 MR. ULLENSVANG: I will be at the committee
20 meeting.

21 FACILITATOR KERN: We can ask -- typically
22 Bob has been around on those Tuesdays, so he might be
23 willing to stay for that meeting. He has on occasion.

24 MS. MONAGHAN: On the 25th of November?

25 FACILITATOR KERN: Yes.

1 MS. FANELLI: Jan, I can work with Doug,
2 too, if we get to a sixty percent design. If we have a
3 broader audience.

4 We have to come up with some ways to work
5 through the details in a way that's meaningful for
6 everybody.

7 MS. MONAGHAN: Thank you.

8 FACILITATOR KERN: Are there any other items
9 before we close? Yes.

10 MS. SEGAL: One of our e-mails, you
11 graciously offered your home for a holiday party. I'm
12 wondering -- we had such a nice party last year in this
13 building, but it's not available.

14 Any feedback? Anyone interested?

15 FACILITATOR KERN: I have had a couple of
16 people comment that they'd be willing to help me, but I
17 think it just hasn't gotten past Thanksgiving yet, so
18 people are --

19 MS. NEWTON: Why isn't this building
20 available?

21 MS. FANELLI: It is on December 9th. It's
22 just that the public meeting portion has now shifted.

23 MS. PASSERO: Or Liverpool Lil's just right
24 over there, too. I say that every year, but it never
25 really happens. I don't know why.

1 MS. SEGAL: Mark won't have to cut all the
2 holly.

3 MR. YOUNGKIN: We had talked about on
4 December 9th, having the RAB meeting from 8:00 to 9:00 PM.
5 So I guess we can change it back from 7:00 to 9:00 PM. So
6 there's an hour extra there if anybody wanted to --

7 MS. FANELLI: We've done the financial
8 overview. There will be no update next time on that.

9 MR. YOUNGKIN: We can do it after the
10 meeting.

11 FACILITATOR KERN: Right. We should defer
12 holiday discussions until that time.

13 Are there any other items for the good of the
14 order?

15 MS. CHEEVER: Oh, the Trust meeting is?

16 MS. BLUM: Is 7:00 to 9:00, yeah.

17 FACILITATOR KERN: There's still a main post
18 meeting.

19 MS. BLUM: Lots of meetings.

20 FACILITATOR KERN: Any other items? And
21 without objection, meeting adjourned. Thanks, everybody,
22 for coming out on a holiday.

23 (The meeting adjourned at 9:09 PM).

24 ----o0o----

25

1 STATE OF CALIFORNIA)

2 COUNTY OF SAN FRANCISCO)

3 I, the undersigned, hereby certify that the discussion
4 in the foregoing meeting was taken at the time and place therein
5 stated; that the foregoing is a full, true and complete record
6 of said matter.

7 I further certify that I am not of counsel or
8 attorney for either or any of the parties in the foregoing meeting
9 and caption named, or in any way interested in the outcome of the
10 cause named in said action.

11 IN WITNESS WHEREOF I have
12 hereunto set my hand this
13 19 day of November,
14 2008.

15 
16 _____
17 MARK I. BRICKMAN CSR 5527
18
19
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24
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1 PRESIDIO RESTORATION ADVISORY BOARD MEETING

2

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4 ORIGINAL

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15 REPORTER'S TRANSCRIPT OF PROCEEDINGS

16 TUESDAY, DECEMBER 9, 2008

17 OFFICER'S CLUB, BUILDING 50

18 PRESIDIO, SAN FRANCISCO, CALIFORNIA

19

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22

23

24 Reported by: MARK I. BRICKMAN, CSR, RPR
 License No. 5527

25

1 ATTENDEES

2 RAB Members:

3 Doug Kern, Facilitator

Mark Youngkin

4 Eileen Fanelli

Bob Boggs

5 Agnes Farres

Peter O'Hara

6 Sara Segal

Sam Berman

7 Gloria Gee

Julian Hultgren

8 Julie Cheever

John Budroe

9 Edward Callanan

John Chester

10 Barbara Newton

Toni Kramer

11 Kevin Whilden

12

13

---o0o---

14

15

BE IT REMEMBERED that, pursuant to Notice of

16

the Meeting, and on December 9, 2008, 7:10 PM at the

17

Officer's Club, Building 50, Presidio of San Francisco,

18

California, before me, MARK I. BRICKMAN, CSR No. 5527,

19

State of California, there commenced a RAB meeting under

20

the provisions of the Presidio Trust.

21

---o0o---

22

23

24

25

AGENDA

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1 FACILITATOR KERN: Good evening, everyone.

2 Welcome to tonight's Presidio Restoration Advisory Board
3 meeting for December 2008, our last meeting for the year.

4 I want to thank everybody for coming out
5 tonight during the holiday season. A lot of other meetings
6 going on. I know there are illnesses going around, too, so
7 we appreciate everybody coming out.

8 Are there any -- everybody have an agenda
9 tonight? Any changes or additions?

10 Are there any announcements, old business?

11 Committee business. I think, Mark, you
12 weren't here last meeting.

13 Pretty much we discussed landfills 8 and 10,
14 and to a large degree, I think we focused on landfill 10 in
15 particular at that meeting, and we'll be talking about that
16 tonight, so not necessarily a reason to go into detail
17 about that meeting.

18 So we're on to item 5A, which is the landfill
19 8 and 10 resolution. So let me pass out some versions of
20 that.

21 We have version six, which I'll pass around
22 now. And then the latest version, version seven. That has
23 a variety of changes of the order of the whereas clauses
24 and some polishing up of the further resolve clauses.

25 And then the final one being passed out is

1 the attachment, which is resolution of various landfill
2 closure principles from 1997.

3 MR. BERMAN: Is version seven the same one
4 you passed out by e-mail today?

5 FACILITATOR KERN: Last night.

6 I want to thank RAB members that spent a
7 large amount of time thinking about the resolution over the
8 last several weeks, months and providing a great deal of
9 input, comment on this.

10 In particular on version seven, I would just
11 draw your attention to the final resolved clause which
12 draws -- made some distinction about the slope and trying
13 to provide additional information about what we're
14 concerned about, and that has to do with the testing of the
15 slope, making sure that it meets ecological human safety
16 standards that would be otherwise having that slope
17 covered. That was not in there in version six.

18 Sam.

19 MR. BERMAN: I unfortunately was doing some
20 very heavy traveling during the month of November and
21 didn't participate in the work on this, and so I was a
22 fresh read when I -- because I just got back over the
23 weekend.

24 And so I read only version seven, looking at
25 it as a fresh read, and I thought it was very well put

1 together.

2 I think all the points were there, and in
3 reading it several times, I was only left with one small
4 unclarity, I guess you might say, which may be -- maybe is
5 not important, and that is in the -- overall -- as I say,
6 I'm giving you a person with a fresh read, so I haven't
7 participated, so --

8 FACILITATOR KERN: Yes.

9 MR. BERMAN: -- I'm just trying to be as
10 critical as possible.

11 I just thought that the whereas that referred
12 to the compromise did not explain what the compromise was
13 all about and who the compromise was with.

14 So when I read that, I sort of really didn't
15 appreciate what that meant, but maybe it's obvious. But
16 that's just a comment.

17 And then my other thought was in the -- in
18 the one, two, three, four, five -- in the sixth paragraph
19 that begins with the landfill 8, whereas landfill 8, I
20 don't know whether you want to emphasize that it was
21 deposited by the Army.

22 FACILITATOR KERN: It was actually not
23 deposited by the Army. It was deposited by the Public
24 Health Service Hospital administration.

25 MR. BERMAN: And the Army did not

1 participate in that at all?

2 FACILITATOR KERN: Right.

3 MR. BERMAN: Okay. So that wasn't clear as
4 who -- who was the conspirator.

5 FACILITATOR KERN: Right. Well --

6 MR. BERMAN: I don't know if --

7 FACILITATOR KERN: There's very little
8 information about actually who did it. We only know who
9 was responsible for it, but we don't know exactly when.

10 MR. BERMAN: Okay. So that was deliberately
11 left vague. As I say, not participating in the
12 discussions, it sort of wasn't clear.

13 So that's just the comments --

14 FACILITATOR KERN: Okay.

15 MR. BERMAN: -- on the fresh read.

16 FACILITATOR KERN: Thank you.

17 I think we respect the -- your comment about
18 the supported compromise. Let's see if I can find that
19 here.

20 MS. NEWTON: Four from the bottom.

21 MS. SEGAL: The second to the last whereas.

22 FACILITATOR KERN: Right. My feeling about
23 that -- and I think your point is that the landfill closure
24 resolution and the principles say that -- back from 1997
25 that we generally want to remove waste, but in this

1 particular case, we supported this position based on the
2 reuse.

3 So it was a way of explaining that why are
4 you guys supporting leaving this in place when you haven't
5 supported leaving other things in place.

6 So it could have been -- I guess it could
7 have actually referred to that other look.

8 MR. BERMAN: To the -- to the older document
9 of principle.

10 FACILITATOR KERN: Yeah.

11 MR. BOGGS: Did it compromise it or does it
12 make it less effective in the removal alternative?

13 MS. NEWTON: It's a compromise in reference
14 to the original --

15 MR. BERMAN: Principles.

16 MS. NEWTON: -- principles of the group.

17 MR. BERMAN: That refers to the principles,
18 the compromise of the principles as stated in the 1997
19 document. That was just not clear to me as to what that
20 meant.

21 MR. BOGGS: Yeah. That's kind of why I
22 asked that question, whether it's really the effectiveness
23 of the remedy or is it a compromise against other --
24 compared to other remedies or what you resolved in the
25 past.

1 Just to say it compromises the effectiveness
2 of a preferred remedy --

3 MS. NEWTON: No. It's not compromising
4 anything. It's just other than the original principles of
5 the --

6 MR. BOGGS: Resolution of the RAB.

7 FACILITATOR KERN: Yeah. I think that's the
8 intent it's compromising the principles --

9 MS. SEGAL: Which are going to be re-
10 adopted once we do this.

11 FACILITATOR KERN: Right. So it was just
12 intended to call out the specific example as being -- you
13 know, that we understand kind of what we're doing in this
14 particular case by supporting this -- at least the approach
15 at landfill 10 of leaving the waste in place in order to
16 support the parking requirements.

17 Would you -- are there any amendments to --
18 in that anybody would recommend to clarify that? John.

19 MR. BUDROE: Well, given the uncertainty
20 over that particular paragraph, would you want to change
21 the compromise by the Presidio Trust to compromise with the
22 Presidio Trust? Make it a little bit more clear that we're
23 essentially compromising off past statements we've made?

24 FACILITATOR KERN: How do people feel about
25 that?

1 MS. KRAMER: It's not compromising with the
2 Trust. It's we as a people not insisting on clean closure,
3 that we came to a compromise with the Trust.

4 MR. BUDROE: Right. That's why I'm
5 suggesting changing by the Trust to with the Trust.

6 MS. KRAMER: Oh.

7 FACILITATOR KERN: Right.

8 MS. SEGAL: See where it says --

9 FACILITATOR KERN: Julie.

10 MS. CHEEVER: Well, this is my own
11 individual opinion, but I almost prefer to leave out with
12 or by the Presidio Trust, so maybe that's a compromise.

13 The reason is we're an advisory group, so we
14 don't really have the power to reach a compromise with the
15 Presidio Trust.

16 It is a compromise, but it's not like we
17 reached it alone with the Presidio Trust.

18 MR. BERMAN: It's a compromise of the
19 principles.

20 MS. NEWTON: Of the group.

21 MR. BERMAN: Maybe that would be --

22 MS. CHEEVER: Can you leave out the word by
23 or with the Presidio Trust?

24 MR. BERMAN: I don't think that belongs
25 there. We've compromised our principles to facilitate

1 the -- to facilitate the program.

2 MS. NEWTON: I agree with that.

3 MS. SEGAL: We can say -- what is the number
4 that says what the principle is? This is going to be a
5 adapted with one, two, three, four, five, six, seven,
6 eight.

7 MS. NEWTON: Compromise our clean closure
8 principles or something like that.

9 FACILITATOR KERN: Going back to the
10 resolution of 1997, the "be it further resolved that, with
11 few exceptions, and until proven otherwise, the Presidio
12 landfills, fill sites and disturbed areas should be
13 excavated, fill materials recycled where appropriate, and
14 remaining materials and hazardous waste consolidated at
15 modern, appropriately designed and monitored off-site
16 disposal facilities."

17 It seems as if that was what we're
18 compromising.

19 Julian.

20 MR. HULTGREN: Let me throw out another
21 possibility to consider with the others. You could say
22 something like "whereas community members of the Presidio
23 Restoration Advisory Board, in a spirit of compromise, have
24 accepted the park's proposal to leave waste" and so on and
25 so forth, and then go on to say "to leave the waste and

1 facilitate development" and all that sort of thing.

2 So it would be in a spirit of compromise.

3 That's our spirit of compromise, and then there's no
4 technical compromise being achieved, but it's our spirit of
5 compromise, and we accept the park's proposal -- the Trust.
6 I'm sorry.

7 MS. CHEEVER: Well, I like that.

8 MS. NEWTON: I do, too.

9 FACILITATOR KERN: I have "whereas community
10 members of the Restoration Advisory Board, in a spirit of
11 compromise, support" --

12 MR. HULTGREN: See now, the members have
13 accepted the Trust to whatever -- the Trust proposal --

14 MR. BERMAN: We can't accept. We support.

15 MR. HULTGREN: Okay. Have agreed to
16 support.

17 MR. BERMAN: Yeah.

18 MR. HULTGREN: And it would be the Trust
19 proposal to leave waste materials in place at the landfill
20 in order to achieve, and then we go on.

21 MR. BERMAN: But I think we just say we
22 agreed with the Presidio Trust. We don't have to say
23 support.

24 MR. HULTGREN: Okay.

25 MR. BERMAN: Just that we agreed with it.

1 FACILITATOR KERN: We have agreed.

2 MR. HULTGREN: As agreed with.

3 MR. BERMAN: Yeah.

4 MR. HULTGREN: Yeah.

5 MR. BERMAN: Doug, I apologize for bringing
6 this up at the eleventh hour, but that's what struck me as
7 a fresh read.

8 FACILITATOR KERN: That's -- that's the
9 process, and we appreciate that you spent the time to read
10 it very much.

11 "Community members of the Presidio
12 Restoration Advisory Board, in the spirit of compromise,
13 have agreed with the Presidio Trust proposal to leave waste
14 materials in place," blah-blah-blah.

15 MR. BERMAN: Which -- then you have to do
16 the grammar right. The Presidio Trust proposal that is to
17 leave waste.

18 MS. NEWTON: No. The proposal is to
19 leave -- to leave waste materials. I think you can say
20 that.

21 MR. BERMAN: What's your spirit of
22 compromise on it?

23 MS. CHEEVER: Well, you said originally our
24 supporting.

25 MR. BERMAN: Yeah, agreed.

1 MR. HULTGREN: Well, it does state the
2 compromise on our part to agree to the Trust proposal.

3 MR. BERMAN: Yeah, yeah. I think that would
4 be -- your idea of the spirit of compromise is excellent,
5 personally, because that's exactly -- I think what's
6 involved.

7 FACILITATOR KERN: Okay. Well, let me read
8 back what I currently have and see if it -- if it's still
9 working or not.

10 "Whereas community members of the Presidio
11 Restoration Advisory Board, in the spirit of compromise,
12 have agreed with the Presidio Trust proposal to leave waste
13 materials in place at landfill 10 in order to achieve a
14 cost-effective remedy that balances parking requirements at
15 the Public Health Service Hospital redevelopment with the
16 primary goal of protecting human health and the
17 environment."

18 MR. HULTGREN: I'm okay with that.

19 MR. BERMAN: It's a very long sentence.

20 FACILITATOR KERN: It's pretty long.

21 MR. BERMAN: It sounds like it's been
22 translated from the German.

23 MR. BUDROE: Just take a deep breath before
24 you read it.

25 FACILITATOR KERN: That's right. It takes

1 more than one breath.

2 Other -- other thoughts or ideas about this?

3 We're looking at version seven, and we can set aside
4 version six, then.

5 Without objection, version six is set aside.

6 Let the record show that Mark crumpled
7 version six.

8 Are there other comments? Still examining
9 this? A few more minutes.

10 MR. BERMAN: Is there enough records
11 available on the waste in the cemetery? Do you know over
12 how many years it was -- the waste were dumped? Is there a
13 history? Is it over a forty-year period or --

14 FACILITATOR KERN: It does not feel to me
15 like it was over that long of a period. It seems like it
16 may have been more like -- I just probably really shouldn't
17 say.

18 My feeling is maybe twenty years or even a
19 decade, but it could have been the result of really one
20 major episode, but I don't know that for sure at all.

21 I mean, there don't appear to be any
22 description of who did it, when they did it exactly.
23 They're just --

24 MS. CHEEVER: It says between 1946 and 1973.

25 MR. O'HARA: It coincides with the

1 demolition of each one of the wings so that the new wings
2 could be attached, and that's where, I guess, a lot of the
3 rubble came from because that was the question that I asked
4 at a meeting sometime ago.

5 MR. BERMAN: Another just for just
6 edification.

7 Is it identified as the merchant marine
8 cemetery? Is that the official designation?

9 FACILITATOR KERN: There's a Merchant Marine
10 hospital cemetery actually I think was the title of the
11 Presidio Trust report in 2006. That's how it's been
12 called, the Merchant Marine Hospital.

13 MS. NEWTON: Merchant Marines not as we know
14 them. Those are private enterprise guys that were hired to
15 protect -- during the war, to protect the war ships or
16 something like that. They were --

17 MS. FANELLI: Sailors?

18 MS. NEWTON: Indigent guys. They were not
19 Merchant Marines.

20 MR. BERMAN: I'm just asking that. We went
21 over that in previous meetings. We do know that, but
22 just -- it's identified here in the paragraph as the
23 Merchant Marine Hospital.

24 FACILITATOR KERN: Right.

25 MR. BERMAN: And if that's the official

1 designation, we can stick to that, you know, even
2 though -- I mean --

3 FACILITATOR KERN: That's what the hospital
4 was called and that's what the cemetery was then referred
5 to, at least in this report.

6 MR. BERMAN: So is that potentially a
7 misnomer by the Trust in calling it that?

8 MS. FANELLI: Merchant Marine? I don't
9 think so. I think that was the actual name.

10 FACILITATOR KERN: I think that was the
11 actual name of it.

12 MS. FANELLI: They probably serviced
13 Merchant Marines as well as other seafarers.

14 MS. NEWTON: They either worked for the
15 Merchant Marines or --

16 MR. O'HARA: Isn't the term Merchant Marine
17 an industrial term that refers to merchant ships and the
18 fact that they are -- are -- it's not individuals. It is
19 an industry. The Merchant Marine is an industrial term.

20 MS. NEWTON: The private sector sort of
21 institution that sort of farms themselves out for
22 commercial purposes, but during the war, they were involved
23 in I think working with the Navy.

24 I grew up right near Kings Point and I know a
25 lot about the Merchant Marines there. They have a huge

1 academy there and I think there's one here, too.

2 MS. SEGAL: Vallejo.

3 MR. O'HARA: It's a Merchant Marine academy,
4 which is in Vallejo, California Merchant Marine Academy.

5 It is not Marines as individuals. It is an
6 institution that turns out ship's officers.

7 MS. NEWTON: Right. It's a private
8 institution. It's not a government institution.

9 MR. O'HARA: I believe it's operated by the
10 State of California.

11 FACILITATOR KERN: John.

12 MR. BUDROE: I think where the confusion
13 comes from is you have two Merchant Marines in capital
14 letters starting the name and Merchant Marines in general
15 are private sailors -- sailors on private sailing ships are
16 termed as Merchant Marines, lower case.

17 United States Merchant Marine Academy at
18 Kings Point, which is more of an official service.

19 MS. NEWTON: Aren't those the same as the
20 guys in Vallejo?

21 MR. BUDROE: That's a different story.
22 That's a Cal State campus, it turns out. If they want to
23 become officers, they're trained towards that, but there's
24 two different entities that you're talking about.

25 You're talking about general description of

1 classes of seamen. You're talking about something that
2 more or less has a quasi governmental status.

3 MS. NEWTON: And the classic seaman
4 description is what we're talking about here.

5 MR. O'HARA: Yes.

6 MR. BERMAN: As long as it's been identified
7 in the records that way, then -- then we're just following
8 whatever that pattern was.

9 FACILITATOR KERN: Is everybody complete
10 with their review? Are we at a point where we can vote on
11 this resolution?

12 John.

13 MR. BUDROE: I move to adopt version seven
14 of the resolution as last amended.

15 MR. CALLANAN: Second.

16 FACILITATOR KERN: It's been moved and
17 seconded to adopt the landfill 8 and 10 resolution as
18 amended.

19 I should note for the record that we have
20 fourteen of seventeen members here, so we do have a quorum.
21 We can vote on this.

22 Is there any discussion, further discussion
23 on this resolution?

24 MR. BERMAN: Is there a reference to the
25 addendum material to be included?

1 MS. SEGAL: Yeah.

2 FACILITATOR KERN: I think that's whereas
3 number five.

4 MR. BERMAN: So it -- so we're voting on --
5 on the complete package?

6 FACILITATOR KERN: That's correct.

7 Any further discussion.

8 All in favor, say aye? Aye?

9 (Vote was unanimous)

10 FACILITATOR KERN: Opposed?

11 (No voices were heard)

12 FACILITATOR KERN: Motion carried.

13 Thank you.

14 Now I note that we have proxy votes, as well.
15 I have received from Jan Blum a message that she would be
16 at the Main Post meeting tonight. She wanted to vote aye
17 for this, for version seven, and Toni, you have perhaps
18 somebody's vote.

19 MS. KRAMER: Jan Monaghan. I didn't pick up
20 the paper, but it's an aye.

21 FACILITATOR KERN: Okay. And that would
22 leave only Michelle who is not accounted for tonight, but
23 without objection, then I would record this as sixteen
24 votes for the resolution and none against.

25 MR. BERMAN: And one absentee.

1 FACILITATOR KERN: Thanks to everyone for
2 all that fine work on that resolution.

3 Any further discussion on that item?

4 We do have both our regulators here tonight,
5 and do either one of you have any updates or things for us
6 here at the end of the year?

7 MR. BOGGS: I appreciate the resolution.
8 Your final point parallels or reinforces something I've
9 been saying in -- as we've developed these alternatives
10 with the Trust, that we have to be able to ensure what
11 people are exposed to is not contaminated material.

12 So thank you for the resolution. I have
13 nothing else to add.

14 MS. FANELLI: Anything else about the
15 extension?

16 MR. BOGGS: We've had a number of requests
17 for extension of the comment period. So we actually had a
18 conference call between DTSC and the Trust and we've agreed
19 to extend the comment period through January 17th.

20 So if you actually have reservations about
21 your resolution, there will be another RAB meeting between
22 now and the end of the comment period.

23 MS. FANELLI: There will be a postcard
24 prepared. They're being prepared now. Everyone on the
25 mailing list will get the postcard indicating that it's

1 extended to the 17th.

2 MS. SEGAL: I have a question for the
3 regulators. In light of the budget situation in the state,
4 let alone the nation, do you see -- because there will be
5 some issues and construction issues and ongoing issues in
6 the Presidio.

7 Do you see any problems with the timing of
8 the review process by the regulatory agencies? Do you see
9 the budget impacting your ability to --

10 MR. BOGGS: No.

11 MS. SEGAL: Okay.

12 MR. BOGGS: When the state gets involved in
13 cleanups, we engage in either what's called a voluntary
14 cleanup agreement, or in the case of the Trust, we have
15 what's called the consent agreement.

16 So all the state employees' time that is
17 spent on the project is billed to the Trust.

18 So they're not going to impact because of the
19 state budget, our job -- because I'm a net zero on the
20 state budget, because all my time and overhead gets billed
21 to the project.

22 So that's kind of the billing situation such
23 that my agency -- we collect hazardous waste and taxes,
24 generator's fees and taxes. My agency is essentially net
25 zero.

1 So when they look at cutting the state
2 budget, they don't even look at our agency because there's
3 nothing to gain.

4 MS. FARRES: It's similar for the Water
5 Board. We're not funded through the general fund. Almost
6 entirely on special fund, fees and things like that. So it
7 shouldn't impact me, either.

8 MS. SEGAL: Thanks.

9 MR. BOGGS: Actually, I see more of a
10 balance in that the direction our agency is shifting more
11 towards flattening it out and making teams.

12 There's a lot of issues that would go through
13 a team review rather than I just going to my supervisor
14 and/or his supervisor if an issue comes up with the Trust.

15 So potentially that group involvement can
16 take a little bit more time. The scheduling of meetings of
17 the teams, there'll be regular meetings, but it's just like
18 I can walk over to my boss' office and handle an issue or
19 call up my attorney and handling an issue.

20 Sometimes it needs to be worked out with the
21 team. There's a coastal cleanup team being formed that has
22 to do basically with the Peninsula and sites that are
23 adjacent to the bay.

24 There's a lot of intermingled issues that
25 they hope to consolidate, have consensus between both

1 private and government sites and how we deal with these
2 things.

3 FACILITATOR KERN: Anything else for our
4 regulators tonight?

5 Anything from Eileen? I know you're not --

6 MS. FANELLI: Have a voice tonight. No, but
7 I can tell you that we -- you got the financial update last
8 quarter.

9 I'm still feeling very positive in terms of
10 our schedules and moving forward, and with the extension.

11 We had a little bit of float in our schedule.
12 We'll continue to work on some of the design issues with
13 folks for the RAP4 sites.

14 RAP3, we're -- Bob looked at the last of the
15 RAP3 sites today. I think we're going to be buttoning that
16 one up this week and we'll be moving forward writing up
17 that construction condition report and requesting closure
18 on all of those sites, actually, with the exception of Nike
19 where we do have some groundwater monitoring ongoing.

20 We'll do that for the next year or so, look
21 at the data, and when it's appropriate to submit closure on
22 that one.

23 We are moving forward on RAP5. I'll be a
24 little bit behind schedule on that one, but through
25 discussions, I think we've got a plan where RAP5 will

1 include the sites in Tennessee Hollow as well as on Baker
2 Beach, but because they're so kind of fundamentally
3 different, we might actually have a breakout and have a
4 work plan that deals with fill site one, landfill 2, a work
5 plan that deals with the Baker Beach sites so that we don't
6 get too much in one document that slows it down. We'll
7 keep things moving.

8 Those should be coming out in the next month
9 or two and they'll be doing that, starting that field work
10 for any supplemental investigations in late winter/early
11 spring, and then we're still scheduled for construction on
12 the RAP5 sites beginning about April 2009.

13 MR. BOGGS: One thing that I could add that
14 has been of interest to the RAB is there's been some
15 dealings with Mountain Lake.

16 Caltrans has come over and had a meeting with
17 us. Their attorneys are talking. So there apparently is
18 movement.

19 I understand that they've had conference
20 calls with the Trust, the attorneys involved, as well. So
21 it looks like there's going to be some movement.

22 It still looks like there's a big gap between
23 Caltrans and the Trust on where the middle ground is, but
24 hopefully we're moving closer to that.

25 MS. FANELLI: I can't disclose any details,

1 but I can tell you that settlement discussions are ongoing.

2 MR. O'HARA: Is the City of San Francisco
3 involved in any of that?

4 MS. FANELLI: Not at this point. Not in our
5 discussions, no.

6 MR. BOGGS: Peripherally.

7 MS. FANELLI: But they're not involved in
8 settlement discussions.

9 MR. BOGGS: They have a tiny, tiny wedge
10 that I guess is part of their property, but they haven't
11 been active.

12 However, someone in my management level came
13 down and had me brief them on the project because something
14 had to be put through the City of San Francisco.

15 So I think they are tracking it.

16 FACILITATOR KERN: They're definitely
17 involved because the Friends of Mountain Lake got in touch
18 with Michaela Alioto-Pier. We had that session downtown.
19 So they'll be quite interested to know, and I think we can
20 continue to apply lever -- pressure from that side if we
21 can relay that we understand -- we can say that there are
22 settlement discussions ongoing.

23 MS. FANELLI: Right.

24 FACILITATOR KERN: That's a true thing.

25 MS. FANELLI: That is a true thing.

1 MR. BOGGS: Yeah. In fact, Caltrans
2 mentioned a deadline they have coming up soon where they're
3 required to respond to the Army and Trust on some issues.

4 FACILITATOR KERN: Do we have any -- of
5 course.

6 MS. SEGAL: Do we know if the TEA grant
7 program is still around? Is it long gone? Those were the
8 funds that might --

9 MS. FANELLI: That's a good question. I
10 don't know. I mean, historically we made applications for
11 TEA grants that were denied, and whether or not that
12 program is ongoing.

13 We're not talking about that specifically in
14 terms of the settlement. It's really more can we work
15 together.

16 MS. SEGAL: That's a long lost column.

17 MR. BERMAN: That was federal money that was
18 passed through the state.

19 MS. SEGAL: It was federal, but it's
20 administered by -- yeah.

21 MR. BERMAN: So the money is -- the money is
22 not rescinded by the state. The money is there somewhere.

23 MS. SEGAL: Well, yeah. Except if it wasn't
24 used, it was used for something else.

25 MR. BOGGS: Two years of grants went to

1 others.

2 MS. SEGAL: Too bad.

3 MR. BOGGS: And I think with Eileen's
4 predecessor, they were looking at that as a mechanism for
5 getting some funding.

6 MS. SEGAL: Right.

7 MR. BOGGS: But I think the funding that
8 they're talking about far outweighs what is possible with a
9 TEA grant.

10 MS. SEGAL: Thanks.

11 FACILITATOR KERN: Toni, did you have
12 something?

13 MS. KRAMER: No.

14 MR. O'HARA: I just wanted to follow up on
15 that. I realize settlement talks are always sensitive, but
16 hypothetically speaking, would the Trust be looking for
17 some sort of a settlement that included participation in
18 the cleanup or would the Trust be looking for some sort of
19 preventive measures taken by the state, California or
20 Caltrans, to prevent further pollution of Mountain Lake?

21 MR. BOGGS: Both.

22 MR. O'HARA: Both.

23 MR. BOGGS: She might not be able to say
24 this, but whatever's disclosed to me, I can.

25 MS. FANELLI: Yeah.

1 MR. BOGGS: By Caltrans, because I'm a state
2 agency, but she's bound by legal negotiations.

3 MS. FANELLI: I'm a party.

4 MR. BOGGS: We're not a party to the
5 negotiations. So to that extent, both.

6 FACILITATOR KERN: Do we have --

7 MR. BOGGS: The state's looking for both.

8 FACILITATOR KERN: Do we have a feel for the
9 timing of this if we get our City folks back involved to
10 apply more pressure? Is this a good time to do that
11 or --

12 MR. BOGGS: I -- since I think there's
13 movement, not necessarily. Things are starting to move.
14 Let them start to move is just my personal idea.

15 When this next movement; i.e. Caltrans'
16 letter ends up and things are stagnating for a mile, that
17 might be the perfect time.

18 FACILITATOR KERN: Okay.

19 MR. BOGGS: But as long as Caltrans is
20 bringing people, interacting with us, interacting with the
21 Trust --

22 MS. NEWTON: And they have a deadline, you
23 said, of some sort.

24 MR. BOGGS: They promised a letter, I guess,
25 to somebody. That's why they were pressing us for some

1 answers.

2 They were asking if the cleanup -- their
3 portion of the cleanup they could negotiate with DTSC
4 independent of the Trust and the Army, and -- so then that
5 parallels on can they renegotiate cleanups levels? Are the
6 cleanup levels appropriate? Methods of cleanup; i.e.
7 what's generally thought as dredging maybe not how they
8 would go about their cleanup.

9 So there's a lot of issues that could then be
10 revisited, and as in the Doyle Drive, the Trust really
11 isn't -- wasn't involved in how Caltrans did the lead-based
12 paint cleanup along Doyle Drive there.

13 So they're similarly pursuing a thing here,
14 but the circumstances are a little different.

15 FACILITATOR KERN: I'm just wondering if we
16 can rely on you guys to let us know if the discussions
17 stall out or become --

18 MS. FANELLI: I've said before that your
19 support in getting Alioto-Pier involved I think -- she
20 actually helped bring Caltrans to the table.

21 So I certainly will disclose what I am
22 allowed to disclose and let you know in advance, knowing
23 that there can be some support.

24 Timing-wise, we're working on an extended
25 tolling agreement. That tolling agreement ends in January.

1 There's obviously a change. The government structure, the
2 president.

3 So that also is sort of a deadline for us --

4 FACILITATOR KERN: I see.

5 MS. FANELLI: -- just to put that in the
6 back of your mind.

7 We're working -- we are making progress, and
8 so we are encouraged by that.

9 FACILITATOR KERN: That's good news.
10 Julie.

11 MS. CHEEVER: Can I ask a question about
12 landfill 8?

13 FACILITATOR KERN: Yes.

14 MS. CHEEVER: Is it known how thick the
15 proposed soil cover on landfill 8 would be? I have three
16 feet in my mind.

17 MS. FANELLI: Three to five feet. It should
18 be listed as three to five feet as listed in RAP4.

19 MS. CHEEVER: Does that come from the design
20 phase?

21 MS. FANELLI: It's always been three to five
22 feet in order to get an unladen dune. That's the grading
23 plan that's being prepared now.

24 MS. CHEEVER: A question in my neighborhood
25 group. If three to five feet is considered appropriate for

1 landfill 8, what is the reason that wouldn't be needed or
2 something along that line for landfill 10?

3 MS. FANELLI: There is going to be a cover
4 on top of landfill 10. It's a different post remediation
5 land use, basically. One is hafted and the one is a
6 landfill one, and the slope the native habitat, but it's
7 not the same nature -- same habitat.

8 It's not a dune habitat where you have
9 volunteers working on it as extensively. It's designed to
10 be a coastal scrub, but once established actually kind of
11 lives by itself, although there will be a period of time of
12 maintenance to get that coastal scrub established.

13 MS. CHEEVER: Thank you.

14 MS. FANELLI: You're welcome.

15 FACILITATOR KERN: All right. Is there any
16 other new business or any new business tonight?

17 Are there any action items?

18 We have no committee meeting this month. I
19 think the action item is to stay well and to have a great
20 holiday.

21 Agenda items. We'll be coming back together
22 in the new year to see -- perhaps to look at a comment
23 letter, the things that we did not want to put into our
24 resolution, and we may consider to provide a comment letter
25 to the Trust or people can do individual or both with

1 regard to RAP4.

2 MS. SEGAL: Doug, can I ask? The resolution
3 that we just approved.

4 FACILITATOR KERN: Yes.

5 MS. SEGAL: What's the immediacy of that?
6 What happens? Are you going to send it to Eileen, to the
7 Trust or --

8 FACILITATOR KERN: Yes. What we've done in
9 the past is we'll put in the voting record and the date and
10 then the community co-chair usually puts a cover and sends
11 it in as a comment for the record.

12 MS. SEGAL: Those are going to be sent out
13 whenever?

14 FACILITATOR KERN: Yeah. As soon as I get
15 this back, I'll make the changes, send it to Mark. He will
16 distribute it pretty quickly.

17 MS. SEGAL: And then the statement of
18 principles will just be attached to it?

19 FACILITATOR KERN: Right.

20 MS. SEGAL: Okay.

21 FACILITATOR KERN: We'll send it out as a
22 PDF to all of you so you can have it.

23 Well, I want to thank everyone for a great
24 year of service to the Presidio. I appreciate your time
25 coming to these meetings and your support of the Presidio,

1 the cleanup.

2 It's a -- it's a great group, and I feel
3 quite privileged to be with you tonight.

4 Happy new year, and without objection,
5 meeting adjourned.

6 (The meeting concluded at 7:58 PM).

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1 STATE OF CALIFORNIA)

2 COUNTY OF SAN FRANCISCO)

3
4 I, the undersigned, hereby certify that the discussion
5 in the foregoing meeting was taken at the time and place therein
6 stated; that the foregoing is a full, true and complete record
7 of said matter.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the foregoing meeting
10 and caption named, or in any way interested in the outcome of the
11 cause named in said action.

12 IN WITNESS WHEREOF I have
13 hereunto set my hand this
14 16 day of December,
15 2008.

16 
17 MARK I. BRICKMAN CSR 5527
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